Fifth Series Vol. XVI No. 55

Tuesday, May 30, 1972
Jyaistha 9, 1894 (Saka)

LOK SABHA DEBATES

(Fifth Series)

Vol. XVI

Fourth Session, 1972/1893-94 (Saka)

सत्यमेव जयते

(Vol. XV contains Nos. 51 — 57)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Tuesday, May 30, 1972/Jyaistha 9, 1894 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

MR. SPEAKER : Shri S. M. Banerjee.

SHRI S. M. BANERJEE (Kanpur) : Sir, before we start the questions, may I request you to allow us to say something about the late Prithviraj Kapoor ? He was a great man and was respected all over India. He was a member of the Rajya Sabha for eight years. I know the practical difficulty, but he was above Lok Sabha and Rajya Sabha. So, could you allow us to say something ? (*Interruption*) He was greater than Meena Kumari.

MR. SPEAKER : This should not come; I shall explain it to you later on.

New Trade Agreement with U.S.S.R.

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*1041. SHRI S. M. BANERJEE :
SHRI P. M. MEHTA :

Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether a trade agreement has recently been signed between India and the U.S.S.R.; and

(b) if so, the main features of the agreement ?

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA) : (a) and (b). A statement is laid on the Table of the House.

Statement

The Trade Plan for 1972 with the U.S.S.R. was finalised during the visit to Moscow by the Minister of Foreign Trade in the first week of May, 1972. The salient features of the Trade Plan are as under :

(i) India's requests for increased supplies of fertilisers, kerosene, non-ferrous metals, newsprint and asbestos have been agreed to by the U. S. S. R.

(ii) India has agreed to supply increased quantities of consumer items, *viz.* ready-made garments, handicrafts, detergents, cosmetics, tobacco, de oiled cakes, castor oil and tea. Automobile ancillaries, linoleum, and magnetic tapes also find a new place in the export list for U.S.S.R.

SHRI S. M. BANERJEE : Sir, from the statement, it appears that India's requests for increased supplies of fertilisers, kerosene, non-ferrous metals, newsprint and asbestos have been agreed to by the U.S.S.R. I would like to know what are the terms and conditions under which these articles are to be imported from the U.S.S.R.

SHRI L. N. MISHRA : The terms and conditions are, rupee payment conditions; deferred payment. We are also exporting a number of items to them under the usual terms and conditions which we had accepted when we had our Five Year Plan-trade Agreement in December, 1970.

SHRI S. M. BANERJEE : I would like to know, after this agreement, to what extent our exports will increase in those items which we would like to send to the U.S.S.R., compared to 1971.

SHRI L. N. MISHRA : Compared to 1971, it should be an increase of about 20 to 25 per cent. The total export will be Rs.

263 crores and the imports will be Rs. 124 crores, making up Rs. 387 crores. The total increase in the exports will be in the neighbourhood of Rs. 20 crores to Rs. 25 crores.

SHRI P. M. MEHTA : I would like to know from the hon. Minister whether it is a fact that the imports of machinery from the Soviet Union have fallen short in recent years because of the fact of the growing self-sufficiency in our country. Now, the Soviet Union is interested in reversing the trend by selling special purpose sophisticated plants to our country. If so, I should like to know the names of special purpose plants and the value of the plants imported during the last year.

SHRI L. N. MISHRA : We have been importing plants and machinery from the Soviet Union for our steel, heavy engineering and power plants. It is not fair to say that they are pressing us to take these as they want to get rid of some of their surplus machinery. As a matter of fact the Government of India have been pressing them to give us some plants which we are not manufacturing ourselves or which we cannot get from other countries. There is no such attitude in the Soviet Union. On the other hand their attitude is to help us as far as they can. They have not gone out of their way but they have been extremely kind in giving us new orders which were not in the trade plan at all.

SHRI JAGANNATH RAO : We have imported heavy machinery from the U.S S.R. for our public sector projects such as earth moving machinery, etc. They are not working because of lack of spares and the U S S R. has not appointed agents to have spares, as a result of which heavy machinery worth crores is lying idle. Is it also part of the agreement that spares required for the machinery supplied by the U.S.S.R. would be supplied by them ?

SHRI L N. MISHRA : There is provision for spares also, ranging from 5 to 15 per cent, whatever is necessary. So far as agents are concerned, we generally want to import through the S.T.C.

SHRI RAGHUNANDAN LAL BHATIA : We used to get certain supplies from the United States. Since America has cut down its supplies to us may I know if we are contemplating getting all these supplies from the U.S.S.R., which we used to get from the United States before ?

SHRI L. N. MISHRA : It is mentioned in the statement. I cannot say the quantum. Most of the critical and strategic items which the United States has been supplying us, we have been able to get from the U.S.S.R., especially non-ferrous metals and other items which have been denied to us by the United States.

श्री भानसिंह भौरा : मैं जानना चाहता हूं क्या इस एग्रीमेंट में यह भी शामिल है कि जो ट्रैक्टर वहां से आते हैं, सोवियत यूनियन से, वह प्राइवेट एजेन्सी के जरिए से आते हैं और इस बात का आपको पता है कि उसमें बहुत ब्लैक होती है इसलिए वह ट्रैक्टर गवर्नमेंट एजेन्सी के जरिए मंगवाये जायें ताकि यहां लोगों को असली कीमत पर दिये जा सकें ?

श्री एल० एन० मिश्र : समझौते में तय है कि पांच करोड़ के ट्रैक्टर हम खरीदेंगे उनसे, पहले जो 14 हार्सपावर के खरीदते थे वह नहीं खरीदेंगे, 30 हार्सपावर के हम खरीदने जा रहे हैं। यह उसी तरह के ट्रैक्कर हम खरीदने जा रहे है जिनका मैन्युफैक्चर इस देश में होगा। धीरे-धीरे हम खुद उनको बनायेंगे।

जहां तक एजेन्ट्स का सवाल है, अभी एस० टी० सी० के जरिए से इम्पोर्ट करेंगे और एग्रो इंडस्ट्रियल कार्पोरेशन्स जो विभिन्न प्रान्तों में हैं उनसे आग्रह करेंगे कि ट्रैक्टर्स का वितरण उसके माध्यम से करें।

SHRI P. VENKATASUBBAIAH Tobacco is mentioned in the list of consumer goods to be exported. Andhra Pradesh is one of the biggest producers of tobacco. Hitherto U.S.S.R. was buying through individuals and companies and they are making huge profits to the detriment of the producers. May I know whether the articles mentioned in the list will be routed through the S. T. C. and not entrusted to individuals ?

SHRI L. N. MISHRA : Tobacco is one of the important items of export and Andhra Pradesh is a big producer; there is no doubt about it. About individual sellers, it depends upon the buyers also. If they have established some channel of communication or some purchasing agants, they can purchase from the private sector also. But there has been an understanding that between U.S.S.R. and India, purchases and sales should be made mostly through public sector agencies. But if there are private sector agencies, I cannot say they will not be allowed. Much depends on the purchaser also.

SHRI K. SURYANARAYANA *rose*—

MR. SPEAKER : Don't be standing throughout That will be a disqualification because you distract the attention of the Chair. I will allow you this time.

SHRI K. SURYANARAYANA : As our friend said, tobacco is lying with the traders as well as the growers in Andhra Pradesh. May I know how much of tobacco Government purchased last year and this year from the growers for exporting to Russia ?

SHRI L. N. MISHRA : What purchase was made last year, that figure is not with me. But the hon. Member knows that S. T. C. came into operation in January and helped the kisans to a considerable extent at a time when tobacco was passing through a great crisis.

Loss suffered on Uneconomic Railway Lines during 1971

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*1042. SHRI G. Y. KRISHNAN :
SHRI SUKHDEO PRASAD VERMA :

Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have sustained loss on the uneconomic lines during 1971; and

(b) if so, the extent of loss sustained and the extent to which the suggestions and recommendations of the Review Committee on Uneconomic Branch lines have since been implemented ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) Yes, Sir.

(b) The estimated loss in the year 1970-71 was Rs. 7 69 crores including the dividend of Rs. 2·32 crores paid to General Revenues. A statement indicating the action taken on the recommendations of the Uneconomic Branch Lines Committee, 1969, is laid on the table of the Sabha.

Statement

Particulars	Number
Number of Recommendations accepted and implemented (or to be constantly kept in view for implementation)	48
Number of Recommendations accepted in part or with modification.	10
Number of Recommedations accepted but yet to be implemented.	20
Recommendations not accepted.	18
Number of Observations noted with or without qualifying remarks.	8
Total finalised.	104
Recommendations under consideration.	64

SHRI G. Y. KRISHNAN : In view of the fact that these uneconomic lines are causing loss to government, why not convert these lines into broad gauge in view of the passenger and goods traffic ?

SHRI MOHD. SHAFI QURESHI : On a rough estimate, the conversion of these lines into B. G. would cost about Rs. 240 crores. The railways do not have that much finance now available.

SHRI G. Y. KRISHNAN : Will the Government be pleased to reconsider this matter because it is a long process and the loss can as well be made up ?

SHRI MOHD. SHAFI QURESHI : I have already stated that it is a question of availability of funds.

श्री सुखदेव प्रसाद वर्मा : स्टेटमेंट में यह बताया गया है कि अनइकानामिक ब्रांच लाइनों से संबंधित रिव्यू कमेटी की सिफारिशों में से 18 सिफारिशों को अस्वीकृत कर दिया गया है, तो मैं सरकार से जानना चाहता हूँ कि वे कौन-कौन सी सिफारिशें हैं, कौन सी लाइनों के सम्बन्ध में हैं जिनको अस्वीकृत कर दिया गया है ? और साथ ही यह भी जानना चाहता हूँ कि 7·69 करोड़ रु० की जो हानि होती है वह इस समिति की सिफारिशों के अनुसार कार्यान्वित करने में कितने समय में वह हानि पूरी हो सकेगी ?

श्री मुहम्मद शफी कुरेशी : इस समिति की 168 रिकमन्डेशन्स थीं जिसमें से 104 पर फैसला लिया गया है। जैसा कि आंकड़ों से जाहिर होता है यह जो 18 रिकमंडेशन्स हैं इनको हमने कबूल नही किया है। मेरे पास इसकी तफसील नहीं है। लेकिन मै माननीय सदस्य को वह सूचना दे सकता हूँ।

श्री सुखदेव प्रसाद वर्मा : 7·69 करोड़ रु० की जो हानि आपने बतायी है तो मैं यह जानना चाहता हूँ कि अनइकानामिक ब्रांच लाइन्स समिति ने जो सिफारिशें की हैं उन लाइनों के संबंध मे उसके आधार पर काम करने से कितने समय में हानि को पूरा कर लेंगे ?

श्री मुहम्मद शफी कुरेशी : जितना भी काम होना है यह फेज्ड प्रोग्राम के मुताबिक होना है। इस वक्त कहना कि कितना खर्चा आयेगा और कितनी बचत होगी, यह कहना मुश्किल है।

श्री सुखदेव प्रसाद वर्मा : मैंने पहले ही सवाल में जो पूछा है, उसका जवाब नहीं दिया।

अध्यक्ष महोदय : अब आप बैठ जाइये। मैं आपको इजाजत जरूर देता, लेकिन यह एक रिवाज पड़ जायगा जिससे आगे चल कर बड़ी मुश्किल हो जायगी।

श्री नरसिंह नारायण पांडे : क्या मंत्री जी इस बात पर विचार करने के लिये तैयार हैं कि जितनी अनइकानामिक रेलवे लाइन्स हैं जिनके बारे में रिकमन्डेशन्स है वहां पर उसके उखाड़ने की योजना बन रही है, तो क्या रिकमन्डेशन्स के मुताबिक उसको फिर से कन्टीन्यू करने के लिये आपका विचार है, जैसे शाहदरा वाली लाइन उखड़ रही है ?

श्री मुहम्मद शफी कुरेशी : जी हां, इन सिफारिशों में यह भी शामिल है कि कुछ रेलवे लाइनें उखाड़ दी जायें, कुछ को ऐक्सटेंड किया जाय, कुछ को कनवर्ट किया जाय।

श्री इसहाक सम्भली : क्या यह सही है कि अनइकानामिक रेलवे लाइन्स जो ब्रान्च लाइन्स हैं उनमें जो नुकसान हुआ है उस नुकसान की बहुत ज्यादा वजह वहां सही चैकिंग स्टाफ का न होना और वहां पर उन ब्रान्च रेलवे लाइनों पर रेलवे के सामान की बहुत ज्यादा चोरी होना शामिल है। क्या सरकार ने इस पर गौर किया है कि उनका टाइम टेबिल ठीक नहीं हैं जिसकी वजह से लोग कम सफर करते हैं, चोरी ज्यादा होती है ? सरकार इन चीजों को रोकने के लिये कोई कदम उठा रही है ?

अध्यक्ष महोदय : यह तो आप सलाह दे रहे हैं।

श्री मुहम्मद शफी कुरेशी : जो यह कमेटी बनी थी उसने एक वजह यह भी बतायी हैं कि इसकी वजह से भी रेलवे लाइन अनाइकानामिक हो जाती है। लेकिन खालिस यही वजह नहीं है। रोड ट्रांसपोर्ट का कम्पटीशन होता है उससे भी रेलवे लाइन अनइकानामिक हो जाती है, और उससे नुकसान हो जाता है।

Export Order secured by Indian Consortium for Power Projects from Kenya

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*1044. SHRI B. K. DASCHOWDHURY: SHRI V. MAYAVAN :

Will the Minister of FOREIGN TRADE be pleased to state the salient features of the export order which has been secured by the Indian Consortium for Power Projects from Tena River Development Company of Kenya ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREICN TRADE (SHRI A C. GEORGE) : The main features of order are :

1. The order comprises design, engineering, supply, erection and commissioning of switchgears, control panels and ancillaries for three electric substations at Juja Road, Kindaruma and Kamburu in Kenya under the Kamburu Hydroelectric Project financed by the World Bank.

2. The value of the contract is over Rs. 60 lakhs.

3. The completion schedule of works at the first station is by September 1973 and others by January 1974.

4. The contract is won against keen competition from the established firms of industrially advanced countries.

SHRI B. K. DASCHOWDHURY : We find from the statement of the hon. Minister that there are two contracts, one to be completed by September 1973 and another by January 1974. In view of these specific contracts I would like to know whether the process of work has already been started and whether they expect to finalise the contract within the time schedule; if not, what are the reasons therefor ?

SHRI A. C. GEORGE : I specifically mentioned three items of this contract work. The work that is scheduled to be over by September 1973 is well in hand and we are quite confident that we will be able to keep to the schedule. Both are on schedule.

SHRI V. MAYAVAN : I would like to know from the Minister whether it is a fact that certain foreign countries have expressed their concern about the quality of Indian products and have stated that the delivery schedules of Indian firms are not satisfactory ? If so, what are the steps taken by the government to improve the delivery schedule and also quality ?

SHRI A. C. GEORGE : I am not sure whether the hon. Member is referring to the Indian Consortium for power projects, because our records are quite good. In fact, in African countries themselves we have so far four major contracts, two in Malawi, one in Tanzania and the fourth, the contract in Kenya. I am happy to inform the House that these countries which have entered into contracts with us are well satisfied with the time schedule as well as the quality of our goods.

Result of the Drive against Corruption

*1047. SHRI BHOGENDRA JHA :Will the Minister of RAILWAYS be pleased to state :

(a) the concrete results of the drive against corruption on various Railways in general and on Samastipur Division of North Eastern Railway in particular;

(b) to what extent and in what form the co-operation of the employees has been sought in this regard; and

(c) the steps proposed to be taken to make the drive successful ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) Sir, the drive against corruption on the Railways which continues to be pursued with vigour has yielded appreciable results A statement showing the results is placed on the table of the Sabha.

(b) Complaints of corruption or malpractices and/or concrete suggestions helpful in the drive against corruption on the railways, received from any source, are duly looked into and appropriate action taken.

(c) sustained efforts continue to be made to weed out corruption by way of preventive and punitive measures.

Statement

The results of the drive against corruption can be judged by the following data in regard to the number of cases in which investigations were taken up and completed by the Vigilance Organisation of the Railways during the last two years i.e., 1970-71 and 1971-72 :—

Sl. No.	Particulars	1970-71		1971-72	
		Gaz.	Non-Gaz.	Gaz.	Non-Gaz.
(i)	No. of complaints dropped after enquiry.	207	4201	297	3291
(ii)	No. of complaints taken up for Departmental disciplinary action.	42	1461	51	1377
(iii)	No. in which prosecution was launched in a court of law.	1	49	3	46

The number of officers who were given various punishments during the same period as a result of Vigilance Investigations and follow up action is as under :—

	1970-71	1971-72
Gazetted	38	26
Non-gazetted	1329	1367

With a view to eliminate malpractices etc., preventive checks are carried out in the different aspects of Railway working. While 10,000 such checks were carried out in 1970-71, as many as 12,542 preventive checks were conducted in 1971-72. These have resulted in appreciable savings by alerting the staff or plugging loopholes in the prevailing procedures and practices.

In so far as North-Eastern Railway is concerned the results of the drive against corruption are as indicated below :

Sl. No.	Particulars	1970		1971	
		N.E. Railway as a whole	On Samastipur Division only	N.E. Railway as a whole	On Samastipur Division only
(a)	Number of cases referred for Disciplinary action by the Vigilance Organisation	474	118	384	122
(b)	Number of staff punished	169	32	262	50

श्री भोगेन्द्र झा : अध्यक्ष महोदय, जो मेरा सवाल था उसका उत्तर मंत्री महोदय गोल कर गये हैं। सवाल का (ख) भाग यह है :

> "इस संबंध में कर्मचारियों से कितने तथा किस प्रकार से सहयोग की अपेक्षा ही गई है।"

इस चीज का उन्होंने जिक्र नहीं किया। जो सूचना मिलेगी उस पर कार्यवाही करेंगे। जो रेल को चलाने वाले कर्मचारी हैं विभिन्न वर्गों के, वह संगठित भी है। तो संगठित ट्रेड यूनियन आन्दोलन से और कर्मचारियों से किस प्रकार के सहयोग की अपेक्षा की गई है और पाई गई है ? क्या यह भी सच है कि कर्मचारियों के एक हिस्से को जो भ्रष्टाचार के खिलाफ लड़ता है और सूचना देता है उसको बदले में सजा दी जाती है, जैसा मानसी में हुआ था, समस्तीपुर मे हुआ था। वहाँ पर लोगों को सजा दी गई है।

श्री मुहम्मद शफी कुरेशी रेलवे मे करप्शन को रोकने के लिये जिस सोर्स से मदद मिलती है हम कबूल करते है। यह सही बात है कि कर्मचारियो ने बहुत जगहो पर इस बात का इजहार किया है कि वह करप्शन को दूर करने मे रेलवे की मदद करेगे। और हम हर वक्त उसको लेने के लिये तैयार है। बाकी रहा यह कि जो करप्शन को हटाने मे रेलवे की मदद करते हैं उनको विक्टिमाइज किया जाता है, यह बात गलत है।

श्री भोगेन्द्र झा मै जानना चाहता हूँ कि सगठित मजदूर आन्दोलन से सहयोग लेने की उनकी कोई नीति है या नही। सूचना जो दी जायेगी वह तो ली ही जायेगी, लेकिन सगठित मजदूर आन्दोलन से, रेलवे एम्प्लायीज मूवमेट से सहयोग लेने की उनकी नीति है या नही ?

श्री मुहम्मद शफी कुरेशी इस बात का ऐलान एक दफा नही, कई दफे किया गया है कि आर्गेनाइज्ड लेबर यूनियन्स हमे मदद करें करप्शन को हटाने मे और रेलवे मिनिस्टर ने तो इस हद तक कह दिया है कि जितनी इसमे रेलवे की बचत होगी वह सब की सब मजदूरो को तकसीम कर दी जायेगी।

श्री भोगेन्द्र झा मै पूछना चाहता हूँ कि भ्रष्टाचार से लडने मे मजदूर यूनियनो के साथ सहयोग करने के लिये कोई सयुक्त समिति विभिन्न स्तरो पर बनाई जा रहा है या नही प्रबन्धक और मजदूर यूनियनो के साथ या उनके चुने हुए प्रतिनिधियो के साथ ? और क्या मत्री महोदय को इस बात की सूचना है कि खासकर बरौनी गडहरा यार्ड मे आर० पी० एफ० के पर्सोनेल और आफिसर्स ·

अध्यक्ष महोदय आप कहाँ इधर उधर की बात ले आते हैं, आप सवाल पूछिये।

श्री भोगेन्द्र झा मैने पूछा है कि क्या सरकार को पता है कि बरौनी गडहरा यार्ड से माल की चोरी कराने मे आर० पी० एफ० के जवान और आफिसर राइफल के साथ चोरी करा कर माल ले जाते है, और जो उसको रोकने की हिम्मत या हिमाकत करता है उसके खिलाफ उस शस्त्र का इस्तेमाल करते है। पिछले पन्द्रह दिनो मे बडे पैमाने पर यह चोरियाँ हुई है, क्या यह सच है ?

श्री मुहम्मद शफी कुरेशी हमारे पास इस तरह की कोई खबर नही पहुँची है।

श्री भोगेन्द्र झा : मैने सयुक्त समिति के बारे मे पूछा था ··

अध्यक्ष महोदय : आप सीधा सवाल कीजिये जिससे मिनिस्टर साहब जवाब दे सकें। आप इधर से उधर और उधर से इधर को जाते है तब वह जवाब कैसे दे सकते है ?

श्री भोगेन्द्र झा : मैंने सयुक्त समिति के बारे मे पूछा था। मै बार बार रिपीट कर रहा हूँ ··

अध्यक्ष महोदय : आप इधर उधर क्यो चले जाते है ?

श्री भोगेन्द्र झा : मैंने बार बार रिपीट किया है और मिनिस्टर साहब उसको टाल रहे है। मै जानना चाहता हूँ कि क्या कोई सयुक्त समिति बनाने की योजना है ?

श्री मुहम्मद शफी कुरेशी · समिति कोई नही बनाई गई है। लेकिन हम हर वक्त आर्गेनाइज्ड लेबर यूनियनो से कोआपरेशन लेने के लिये तैयार है। इसमे कोई ऐतराज हम नही है।

श्री राम सहाय पाडे : मिनिस्टर साहब मेरी राय से मुत्तफिक होगे कि सबसे ज्यादा करप्शन गुड्स ट्रेन और वैगन सप्लाई म होता है। मै जानना चाहता हूँ कि क्या कोई विजिलेस डिपार्टमेट बनाया गया है जो जब पच्चीस या पचास वैगन लिये जाते है वह उनमे होने वाले करप्शन की जानकारी रक्खे।

श्री मुहम्मद शफी कुरेशी : रेलवे के पास कोई फुल-फ्लेज्ड विजिलेंस तो नहीं है, लेकिन जहां से करप्शन की शिकायतें आती है, जो सेंसिटिव एरियाज है जहां चोरी होने का ज्यादा इमकान है वहां काफी तादाद में विजिलेंस के लोग रहते हैं जिससे वहां की देख भाल हो सके।

श्री अटल बिहारी वाजपेयी : मंत्री महोदय ने कहा कि वह रिकग्नाइज्ड यूनियन्स से सहयोग लेने के लिये तैयार हैं।

श्री भोगेन्द्र झा : उन्होंने रिकग्नाइज्ड नहीं आर्गेनाइज्ड कहा है।

श्री अटल बिहारी वाजपेयी : क्या इसका यह अर्थ नही है कि जो रिकग्नाइज्ड यूनियन्स नही है लेकिन आर्गेनाइज्ड है केवल उनका ही सहयोग लिया जायेगा ?

श्री मुहम्मद शफी कुरेशी : अगर करप्शन और चोरी रोकने के मामले मे कोई हमारी मदद करेगा तो उसको लेने से हमे कोई इन्कार नही है।

Proposal for running a Fast Diesel Train between Delhi and Mysore

*1048. SHRI C JANARDHANAN : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have any proposal under consideration to run a fast diesel train on the metre-gauge between Delhi and Mysore if necessary by strengthening the track; and

(b) if so, when it will be implemented ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) No, Sir.

(b) Does not arise.

SHRI C. JANARDHANAN : Since the metre gauge line is about 100 kilometres shorter than the present B. G. route, and since it is better to divert the number of passengers from the B. G. route, will the Government reconsider their present stand ?

SHRI MOHD. SHAFI QURESHI : The hon. Member has asked the question of speeding up trains on the metre gauge. It would not be possible to speed up trains on the metre gauge as it involves loss of time to the extent of 30 to 40 per cent. There is no question of speeding up trains at this stage.

SHRI C. JANARDHANAN : If you are going to put up a diesel engine, how is it we are going to lose time ?

MR. SPEAKER : Do not go into arguments.

SHRI C. JANARDHANAN : I want the explanation from the Minister.

SHRI MOHD SHAFI QURESHI : It is not a question of putting up a diesel engine. It is a question of availability of track. Normally it is a single line and there are lots of crossings. That is where the time is lost. It is not a question of putting up a diesel engine because we cannot speed up these trains.

Industries Facing Crisis in West Bengal due to Wagon Shortage

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*1049. SHRI SAMAR GUHA :
SHRI M S SIVASAMY :

Will the Minister of RAILWAYS be pleased to state :

(a) whether there has been wagon shortage in West Bengal due to which industrial production in the State is threatened with serious disruption; and

(b) if so, the extent, nature and causes of wagon shortage and the steps taken by Government in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) Though the number of wagons loaded for destinations in West Bengal during the last few months had been

more than those in 1969, requests were received from some industries for more wagons. There was, however, no report, from any industry about serious disruption in their production.

(b) loading for destinations in West Bengal could not be stepped up further due to temporary short availability of wagons on account of heavy immobilisation in the Eastern Sector due to various anti-social activities in the early part of 1971 and heavy Special moves towards the later part of 1971. Loading had also to be regulated due to drop in the release of loaded wagons placed from about 77% in the past to only about 60%. Railways are following up the slow release with the trade and different Chambers of Commerce and are also planning to open additional terminals in Calcutta area.

SHRI SAMAR GUHA : I am surpirsed to know that there is no serious crisis in the industrial production, as stated by the hon. Minister himself. I do not know whether the newspapers in Calcutta cook up news. A series of reports have appeared that there is a crisis in industrial production due to shortage of wagons. I want to know whether it is a fact that the Minister of Industry of West Bengal had a special meeting with the railway officials there and also with the important leaders of trade and commerce to seek their advice on how to get release of wagons. I would also like to know the number of railway wagons that was required for West Bengal and the number of wagons supplied to them I also want to know whether it is a fact that, for supply of coal, there is a shortfall of 650 wagons as compared to the requirement whereas for the other States the number was more.

SHRI MOHD. SHAFI QURESHI : If you compare the position, in 1969 the daily average loading in Bengal area was 2,722 wagons a day, Today I am giving the figure upto 25th May. The figure is 2823. There has been no decrease; in fact we maintain the tempo of these wagon supplies to West Bengal. The requrement then was 2,722 wagons, in 1969. The requirement of the industry was met.

SHRI SAMAR GUHA : I want the figure for 1972. What are the requirements of West Bengal ? To what extent they have been fulfilled ?

SHRI MOHD. SHAFI QURESHI : I gave this figure of 1969 for the sake of comparison. That was a time when the full demand was met. The figure of 1972 has shown slight increase In February we have supplied 2989 wagons. In March we have supplied 2980 wagons. In April we have supplied 2827 wagons

SHRI SAMAR GUHA : Due to collusion of corrupt traders and businessmen end also with railway officials, a number of wagons are being kept detained in Shalimar Yard with a view to increase the price artificially. Is it a fact ? If so, have Government taken any action for speedy clearance of wagons from Shalimar Yard ?

SHRI MOHD SHAFI QURESHI : It is true that some unscrupulous traders are detaining our wagons.

SHRI INDRAJIT GUPTA .And railway officials...

SHRI MOHD. SHAFI QURESHI : The releases in Calcutta area were about 77·2 per cent. Now the release have come to 60·5 per cent, These traders in order to see the market trend do not unload the wagons. The steps taken by the Railways are the following. We have imposed 100 per cent demurrage and wharfage; in case they do not lift the goods within a specified period, the Railways will auction those goods.

SHRI INDRAJIT GUPTA : In a statement which is laid today in reply to a question coming later, (In reply to my Q. N.1057), it is stated that the average daily supply of wagons to West Bengal in 1971-72 has been only 352 wagons less per day than in 1969-70. You put the word 'only' as compared to the year 1969-70. This is from the statement itself. Only 352 wagons less are being loaded in West Bengal coalfields, and they consider that to be quite a small affair ! I want to know whether it is a fact or not that the reason why various industries are closing down in West Bengal has been due to the fact that they have not been able to get power to run their units. The power generating units say, they are not getting the

coal. It is all inter-connected. Is it not your business to see that no industries suffer due to shortage of wagons ?

SHRI MOHD. SHAFI QURESHI : The question by Mr. Guha refers to industries in West Bengal. The hon. Member refers to coal in West Bengal.

SHRI INDRAJIT GUPTA : Power stations do not get coal. They cannot generate electricity beacause of shortage of coal.

SHRI MOHD. SHAFI QURESHI : Pathratu and Durgapur power plants were getting their load not through Railawys but by road. It is not the Railway that have to be blamed. It is unfortunate there was failure of supply. But the Railways have nothing to do because the coal supplies were coming by road.

SHRI INDRAJIT GUPTA : We don't get power from Pathratu also.

SHRI S. M. BANERJEE : Shri Indrajit Gupta's question also should be answered along with this, because he has quoted from the statement in reply to the other question.

MR. SPEAKER : Let the hon. Member try to mend his ways. Let him not interrupt like this. Shri Subodh Hansda.

SHRI SUBODH HANSDA : May I know whether the hon. Minister had received any request from the Government of West Bengal, particularly from the Ministry of Transport, for wagons for carrying steel and cement beacuse of the shortage of which the construction work on the second Howrah bridge is going to be delayed, and if so, the reaction of Government ?

SHRI MOHD. SHAFI QURESHI : I had a meeting with the Minister of supplies who had come to Delhi. He in fact mentioned that he required more cement for the construction purpose and he has been promised that the full requirements of cement would be met by giving the required number of wagons.

SHRI DINEN BHATTACHARYYA : In reply to Shri Indrajit Gupta's supplementary question, the hon. Minister avoided an answer and said thatt he power-generating plants in West Bengal particularly had not placed their demands. May I know whether the Bandel thermal plant had repeatedly made representations to the Eastern Railway authorities for supply of adequate number of wagons for carrying coal for the thermal plant but that has not been heeded to, and this in spite of the fact that at a particular meeting, the Eastern Railway manager himself admitted that there was shortage of wagon supply ?

SHRI MOHD. SHAFI QURESHI : The hon. Member has not understood my answer. What I had said was that Chandrapura and Durgapur power stations were supplying power to West Bengal...

SHRI DINEN BHATTACHARYYA : I am asking about the Handel thermal plant.

SHRI MOHD. SHAFI QURESHI : These power stations get their coal by road transport and not by rail. So, the railways should not be blamed. The fact is that certain distress calls were received from certain thermal plants to send coal by train, and we have supplied wagons to them to meet their distress calls.

SHRI DINESH BHATTACHARYYA : I am asking about the Bandel thermal plant.

SHIR MOHD. SHAFI QURESHI : There was a distress call from them, and we have fully met their requirements.

SHRI INDRAJIT GUPTA : What about Calcutta Electric Supply Corporation ?

Educational Institutions run by Railways

*1050. SHRI S. N. MISRA : Will the Minister of RAILWAYS be pleased to state:

(a) the places where educational facilities have been provided at the cost of Railways to the children of Railway Employees;

(b) whether any improvement have been made in respect of such Institutions in the course of the last three years; and

(c) if so, the nature of improvements

made and the names of places where these have been made ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) A statement is laid on the Table of the Sabha [*Placed in Library See* No LT —3108/72]

(b) Yes, Sir,

(c) A statement giving the improvements sanctioned by the Railway Board is laid on the Table of the Sabha [*Placed in Library See* LT —3108/72]

Information in respect of improvements made by the Zonal Railways, under their own powers is being collected and will be placed on the Table of the Sabha

SHRI S N MISRA What is the medium of instruction in these institutions and what facilities are granted to the students coming from the families of railway servants in these institutions ?

SHRI MOHD SHAFI QURESHI Except in one, where the medium is English, in others it is Hindi and English combined There are various facilities given to the railway employees The railway employees whose children cannot study in the place where their parents are residing but have to go to some other school are given grants varying from Rs 10 to 60 per mensem Likewise there are many others which help the railway employees' children to get education in these schools

SHRI PARIPOORNANAND PAINULI What is the actual expenditure incurred in running these institutions ? In view of the fact that the railways are running into a loss, would the hon Minister tell us whether he is prepared to transfer these institutions to the Education Departments ?

SHRI MOHD SHAFI QURESHI The total cost incurred on these schools by the railways amounts to Rs 3 6 crores If the Education Department wants to take over these schools the railways will be happy to hand them over to them

SHRI B S MURTHY Is the hon Minister aware that the Telugu children of the employees working in the Integral Coach Factory, Madras, have been appealing to the hon Minister to see that in the high school provided for the children there, Telugu section must be started from the sixth class onwards, and if so whether any arrangements have been made for that purpose ?

SHRI MOHD SHAFI QURESHI It is receiving the consideration of Government We are considering it

Stoppage of work by Station Masters, Ajmer Division (Western Railway)

*1051 SHRI CHANDRIKA PRASAD Will the Minister of RAILWAYS be pleased to state

(a) whether there was a stoppage of work by the Station Masters on Ajmer Division on the 20th February 1972 and the trains suffered considerable detention

(b) if so the reasons therefor and

(c) the action taken by Government in the matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) Yes, Sir

(b) The strike was in protest against detention of 7 employees by Railway Government Police in connection with an alleged theft at Railway contractor's stall at Radhanpur

(c) The Superintendent of Police was contacted by the Railway and the release of the arrested staff was secured without bail

श्री चन्द्रिका प्रसाद हर एक स्टेशन पर विभिन्न विभागों का कोआर्डिनेटिंग आफिसर स्टेशन मास्टर होता है। लेकिन जी० आर० पी० और आर० पी० एफ० के कर्मचारी अपने आप को स्टेशन मास्टर के मातहत नहीं समझते है और स्टेशन मास्टर की बात नहीं मानते है, इसलिए झगड़ा शुरू होता है। टेलीकम्यूनिकेशन्ज के जो नये नये विभाग खुले है उनमें जो

आफिसर आये हैं, वे स्टेशन मास्टरों से ऊपर के ग्रेड के हैं और इसलिए वे स्टेशन मास्टर का आदेश नहीं मानते हैं। यह जानना चाहता हूँ कि क्या मंत्री महोदय स्टेशन मास्टरों के ग्रेड को ऊंचा करने और जी० आर० पी० और आर० पी० एफ० को उनके कंट्रोल में लाने के लिए कदम उठायेंगे।

SHRI MOHD. SHAFI QURESHI : I do not know whether this arises out of this question. This is about an incident, and he is asking about grades. I will have to look into this.

श्री चन्द्रिका प्रसाद : इस घटना से दो बातें सामने आती हैं। एक तो यह कि स्टेशन पर काम करने वाले कुछ अफसर स्टेशन मास्टर से ऊपर के ग्रेड के हैं और दूसरे यह कि जी० आर० पी० और आर०पी०एफ० स्टेशनमास्टर के कंट्रोल मे नहीं हैं। अगर वे स्टेशन मास्टर के मातहत होते, तो रेलवे कर्मचारी गिरफतार न किये जाते। मैं यह जानना चाहता हूँ कि क्या स्टेशन मास्टरों का ग्रेड ऊंचा किया जायेगा और जी० आर० पी० और आर० पी० एफ० को स्टेशन मास्टर के कंट्रोल में लाया जायेगा।

श्री मुहम्मद शफी कुरेशी : झगड़ा इस तरह शुरू हुआ कि एक ठेकेदार ने यह शिकायत की कि उसकी चोरी हुई है। उस चोरी के इल्जाम में कुछ रेलवे कर्मचारी गिरफतार किये गये। इस पर सैक्शन के तमाम स्टेशन मास्टरों ने हड़ताल कर दी और रेलवे ट्रैक पर धरना दे कर नौ घन्टे तक गाड़ियां रोक रखीं। बाद में रेलवे कर्मचारियों को रिहा कर दिया गया। माननीय सदस्य कहते हैं कि वहां पर स्टेशन मास्टर का किसी और कर्मचारी के साथ झगड़ा है। मै उसकी जांच करूंगा और देखूंगा कि इस बारे में क्या किया जा सकता है।

All India Body to Coordinate all matters *Re.* power

*1052. SHRI BIBHUTI MISHRA : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether Government are contemplating to set up an all India body for the effective co-ordination of all matters regarding power;

(b) if so, whether all the Chief Ministers have given their consent to the said proposal; and

(c) the advantages to be derived by setting up the apex body ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) to (c). A statement is laid on the Table of the House.

Statement

(a) to (c). Presently, coordination of matters regarding power is effected mainly through the agency of Central Water and Power Commission. The principal activities of power generation and supply are in the hands of State Electricity Boards, licenses and departments of State Governments. The Central Electricity Authority constituted under the provisions of the Electricity (Supply) Act, 1948 has been assigned specific functions under the Act which are generally of a coordinating nature in respect of planning of power development in the various States of the country. At the time of formulation of the legislation, the power supply development was not significant and was restricted to major urban areas excepting in a few States where power supply was extended to some rural areas also. Since the commencement of planned development, power supply industry has progressed rapidly and installed capacity which was about 2·3 million KW in 1950 has reached over 17 million KW by 1971-72. In spite of this rapid development, power is in short supply and compared to the advanced countries the *per capita* consumption is far low and is about 90 KWh. In order to achieve at least a reasonable *per capita* consumption figure of 250 KWh by 1980-81, it would be necessary to achieve the target of about 50 million KW installed generating capacity by then. In this context it is felt that a strong Central apex organisation should be set up so as to play an active and effective role in the power development of the country. Such a body would also enable adoption of uniform power

policy throughout the country. Proposals in thisregard are under examination and will be finalised in consultation with StateGovernments.

श्री विभूति मिश्र : अध्यक्ष महोदय, मेरे प्रश्न के भाग (ए) का जवाब स्टेटमेंट में दिया गया है, लेकिन भाग (बी) और (सी) का जबाव उसमें नही है। भाग (बी) और (सी) इस प्रकार हैं :

"(b) if so, whether all the Chief Ministers have given their consent to the said proposals; and

(c) the advantages to be derived by setting up the apex body ?"

अध्यक्ष महोदय, आप वकील भी है। आप देखें कि स्टेटमेंट मे क्या कहा गया है :

"In this context, it is felt that a strong Central apex organisation should be set up so as to play an active and effective role in the power development of the country. Such a body would also enable adoption of uniform power policy throughout the country. Proposals in this regard are under examination and will be finalised in consultation with State Governments.

मैंने पूछा हैं कि क्या इस बारे मे चीफ मिनिस्टर्ज से पूछा है या नही। इसका हां या ना में जवाब नही दिया गया है। मंत्री महोदय ने यह भी नहीं बताया है कि इससे फायदा होगा या नहीं।

THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO) : We are consulting the State Ministers of Power at the forthcoming meeting on the 28th of the coming month, in June, we are going to consult them. And after that, the idea is that the subject should be given some amount of condiseration at the Minister level. If you want a direct answer, then, it is "No". The direct answer will be, that we have not consulted the Chief Ministers so far. We have consulted the Chairman of the State Electricity Boards: they were all unanimous about it. They were in favour of it. Then, we will be taking it up with the Chief Ministers, and then we shall finalise it.

The advantage of the central apex organisation is that it can look after the whole of the country's generation of power. That should be an advantage. We have indicated in the answer. The one object that hon. Members have been pressing from time to time is that we should have a uniform rate throughout the whole country, and that can be done only if the whole generation is in one hand. Whether the power generated is hydel power, or nuclear power or thermal power, if we want the same rate, the whole organisation should be in one authority, and that will be a chief gain.

Also, an organisation like this will help us to overcome the shortages that are occurring here and there in the whole country.

श्री विभूति मिश्र : मंत्री महोदय ने जो जवाब दिया है, उसके लिए मैं उनको धन्यवाद देता हूँ। मैं यह जानना चाहता हूँ कि जब सारे देश का संगठन एक-साथ हो जायेगा, तो क्या सारे देश की बिजली का ग्रिड सिस्टम बनाया जायेगा और उसका डिस्ट्रिब्यूशन सारे देश में आवश्यकता के अनुसार किया जायेगा।

DR. K. L. RAO : We have to finalise things in consultation with the parties concerned. The idea is to have a main grid and the generation will be with one central authority here and five regional organisations. The whole country is divided into five regions south, north, east, west and north-east. A big country cannot be managed by one central organisation and generation would be in different areas. All this will be well-coordinated. That is so far as the main generation is concerned as well as the main transmission lines going from one power house to the other. The distribution in each State will be done by the State Electricity Board. We will give only bulk power to the State and the State Electricity Board will transmit power to various places.

SHRI BHAGWAT JHA AZAD : Is it a fact that there are States in the country which generate power and for lack of distributing system they are forced to donate it to the neighbouring States and if that is so,

how these co-ordinating efforts of the Government would be able to stop this imbalance in the power distribution system ?

DR. K. L. RAO : Our aim in the Fifth Plan is to reduce the imbalance as far as possible. For example, in North Bihar there are no adequate transmission line though there are a large number of people, about 2½ crores of people Their consumption of electricity is very low, 8 units per head as against the average of 90 units per head in the country. In States like Bihar, we need more transmission lines and in the Fifth Plan our efforts will be to reduce these imbalances.

SHRI R. S. PANDEY : The overhead charges in some States are high where as in some states they are low. May I know whether they are going to have a committee to survey this very important factor ? What is the reason due to which the overhead charges in Bihar and M. P. are high ? Are they going to co-ordinate this matter and have a comprehensive survey ?

DR. K. L. RAO : It is true that in some States overhead charges are more and in some States they are less. As the hon. Member said, Bihar and M. P. are in the first category. All this would be easy to deal with if there is a central organisation to co-ordinate between various States. At the moment there is purely an advisory role for this body. We are going to send one very able engineer to Bihar as Chairman of Electricity Broad and I think he will examine the overhead charges and reduce them. I have already mentioned about this aspect; it has to be looked into.

SHRI P. VENKATASUBBAIAH : Till a uniform policy is formulated with regard to production and distribution of power, may I know how the Government proposes to correct the imbalance now prevailing in power generation ? Andhra Pradesh is suffering from acute shortage of power; and power is available in Kerala, but it is not being transmitted to Andhra Pradesh inspite of the willingness of the Kerala Government ? If that s so, what is the arrangament proposed to be made by Government to correct this imbalance till a common system is evolved ?

DR. K. L. KAO : There is an imbalance in the transmission network and that affects the availability of power. The hon. Member says that available power in Kerala is not transmitted. It is true that from Kerala power was transmitted to Tamil Nadu and Andhra to be shared equally. It has not been done so because Tamil Nadu says it is short of power and because of that they have not been transmitting power to Andhra. Recently, as a result of persistent persuasion Tamil Nadu is now giving about half a million units a day to Andhra Pradesh. In the present stage of power generation and transmission in the country, when there is no central organisation to look into the whole problem there are this type of difficulties. It would have been easier and the shortage would have been spread all over the country-it would then be only 2-5 per cent—if there was a unifrom organisation. The worst suffers are States like U. P. and Andhra Pradersh. I accept that at time moment under the present system there is not that co-ordination that is necessary for the country.

उच्चतम न्यायालय तथा उच्च न्यायालयों में न्यायाधीशों की नियुक्ति के लिए नई प्रक्रिया का अपनाया जाना

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*1053. **श्री शंकर दयाल सिंह** : क्या विधि और न्याय मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उच्चतम न्यायालय तथा उच्च न्यायालयों मे न्यायाधीशों की नियुक्ति के बारे में सरकार का विचार नई प्रक्रिया अपनाने का है; और

(ख) यदि हाँ, तो प्रस्तावित प्रक्रिया की मुख्य बातें क्या हैं ?

विधि और न्याय मंत्रालय में राज्य मंत्री (श्री नीतिराज सिंह चौधरी) : (क) जी नहीं।

(ख) प्रश्न ही नहीं उठता।

श्री शंकर दयाल सिंह : मान्यवर, देश में न्याय पालिका के संबंध में बहुत बड़ी कंट्रोवर्सी है और इस सदन में जब हम चौबीसवें संविधान संशोधन पर विचार कर रहे थे तो कई माननीय

सदस्यों ने जजों के संबंध में जो विचार रखे है वह सरकार के सामने है। क्या उस आधार पर मैं विधि मंत्री महोदय से जान सकता हूँ कि उन सभी बातों को देखते हुए सरकार यह विचार नहीं कर रही है कि जजों की नियुक्ति में आमूल परिवर्तन किए जायं जिससे कुछ प्रगतिशील तत्व जजों के रूप मे भी हमारे सामने आ सकें ?

श्री नीतिराज सिंह चौधरी : संविधान के आर्टिकिल 124 और 217 में जो प्रक्रिया निश्चित है उसके अनुसार जजों की नियुक्तियाँ की जाती हैं। जब तक संविधान मे कोई संशोधन नही लाया जाता प्रक्रिया मे कोई परिवर्तन करना संभव नही है।

श्री शंकर दयाल सिंह : क्या सुप्रीमकोर्ट और हाईकोर्टों में जजो की सख्या में वृद्धि की जायगी क्योकि दोनों ओर इतने अधिक मामले और मुकदमे विचाराधीन रहते है जिनमें कभी कभी तो आदमी स्वर्गवास कर जाता है लेकिन उसका फैसला नही होता है, तो क्या उनकी संख्या में वृद्धि करेंगे ?

श्री नीतिराज सिंह चौधरी : प्रश्न नियुक्तियो का है, संख्या बढ़ाने का नहीं है। · · · · · **(व्यवधान)** · · · सुप्रीम कोर्ट के जजेज की संख्या बढ़ा दी गई है। हाई कोर्ट के जजेज की संख्या का प्रश्न प्रदेश शासन से संबंधित है। प्रदेश शासन की तरफ से निश्चय करेंगे कि संख्या बढ़ानी है तो यहाँ से नियुक्तियाँ कर देंगे। उनकी संख्या बढ़ाना केन्द्र के हाथ में नहीं है।

SHRI S. M. BANERJEE : In view of the various judgments of the Supreme Court which have been criticised here not only by us but even by our Law Minister and other Cabinet Ministers, I want to know whether any step is being taken by Government to select some of the High Court and Supreme Court judges from the lower rung of society, from the common people, and not from a particular class from which they are being selected now ?

SHRI NITIRAJ SINGH CHAUDHARY: The qualifications for appointment of judges are prescribed and we have to limit our choice to the persons who fulfil those qualifications ?

SHRI S. M. BANERJEE : Two persons have the same qualifications, but one is born in the family of an ICS or IAS and another is born and brought up in a low family. I want to know whether the latter will be given preference.

SHRI SAMAR GUHA : What Mr. Banerjee says should go on record. Some of the judgments of the Supreme Court have been seriously criticised by Mr. Gokhala and other Cabinet Ministers.

MR. SPEAKER : I have not alloweed you. You are speaking without my permission. Nothing will go on record if you speak without my premission like this It is a wrong practice.

SHRI S. M. BENERJEE : In both the Privy Purse case and the Bank Nationalisation case we and the Minister have always criticised the Supreme Court.

MR. SPEAKER · In reply to his earlier question the Minister has referred to the provisions of the Constitution. Questions which are asking for opinion are not admissible. Howsoever strongly they may hold those views, those questions are not admissible under the rules.

SHRI S. M. BANERJEE : What is the answer ? We want judges from the common people.

MR. SPEAKER : I am sorry, I cannot allow it.

PROF. MADHU DANDAVATE : In view of the experience in the past that in many cases the judges, in spite of their integrity and impartiality, in their judgments are likely to be biased by their social attitudes and outlooks, are government likely to change their attitude regarding the general procedure of appointment of judges ?

MR. SPEAKER : It is the same question in a different manner. Do you expect me

also to change my attitude by admitting it ? You have acquired Shri Banerjee's technique recently.

PROF. MADHU DANDAVATE : Not at all. It is very difficult to imitate him.

SHRI NITIRAJ SINGH CHAUDHARY : The question relates to the procedure in regard to appointment of judges I think that supplementary does not arise out of this question.

MR. SPEAKER : Thank you for supporing me.

पोस्त के छिलके का निर्यात

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*1054 श्री फूलचन्द वर्मा :
डा० लक्ष्मीनारायण पांडेय :

क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत से प्रतिवर्ष भारी मात्रा मे पोस्त के छिलके का निर्यात किया जाता है :

(ख) यदि हाँ, तो गत तीन वर्षों में उससे कितनी विदेशी मुद्रा अर्जित की गई है;

(ग) क्या तुर्की और चीन इस व्यापार मे भारत के प्रतिस्पर्धी है, और

(घ) इसके निर्यात को बढाने के लिए सरकार क्या कदम उठाने जा रही है ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (d). A statement is laid on the Table of the House.

Statement

(a) Poppy husk is not exported in large quantity to foreign countries. Export of poppy husk to foreign countries amounted to 27 tonnes in 1969 and 32 tonnes in 1970.

(b) The amount of foreign exchange earned during 1969 and 1970 is Rs. 118, 932 and 208,472 respectively. Information in regard to export during 1971 is not available.

(c) There is no competition from Turkey to our export of poppy husk. Information in respect of China is not available.

(d) It is under examination whether Government can undertake export of poppy husk m the same way as opium and whether we should prepare concentrate or crude morphine from hnsk and then sell the same abroad m order to increase foreign exchange earnings frcm this commodity.

श्री फूलचन्द वर्मा : स्टेटमेंट देखने के बाद ऐसा लगता है कि पोस्त के छिल्के के निर्यात के संबंध में यदि हम ठीक ध्यान देते तो भारत सरकार को काफी विदेशी मुद्रा मिल सकती थी, लेकिन विदेश व्यापार विभाग की उदासीनता के कारण इसके निर्यात में कोई विशेष प्रगति नही दिखाई देती । स्टेटमेंट के आँकड़े बताते है कि 1971 मे 27 टन का निर्यात हुआ और 1970 मे 32 टन का निर्यात हुआ । मैं जानना चाहता हूँ कि निर्यात के संबंध मे जो उपाय आप के पास विचाराधीन है उन्हें आप कब तक अन्तिम रूप देंगे तथा जो पोस्त के छिलके से आप सान्द्रण या कच्ची मारफीन तैयार करके विदेशों को भेजना चाहते हैं वह कब तक हो जायगा ?

SHRI A. C. GEORGE : The hon. Member is not correct in attributing laxity or indifference to the Ministry of Foreign Trade. I may submit that the poppy husk after the extraction of opium contains only. 1 to .3 per cent of crude morphine. It is true that we are getting 12,000 to 15,000 tonnes of poppy husk every pear. In 1970-71 it was 12,000 tonnes and in 12,000 tonnes and in 1971-72 it was 15,000 tonnes. On the process of extraction of crude morphine we are consulting the chief chemists of the national laboratories and we will be able to evolve a process very soon.

श्री फूलचन्द वर्मा : दूसरा प्रश्न मेरा यह है कि जो आप निर्यात करते हैं वह किन किन माध्यम से निर्यात करते हैं, जरा यह भी बता दीजिए ।

SHRI A. C. GEORGE : Opium is exported through government alone.

MR. SPEAKER : Not through opium-eaters ?

SHRI A. C. GEORGE : This poppy husk is not exported through private sources.

डा० लक्ष्मीनारायण पांडेय : मैं मंत्री महोदय से जानना चाहूँगा कि क्या यह सही है कि चेकोस्लोवाकिया से 200 टन का आर्डर पापी हस्क के निर्यात के बारे में मध्य प्रदेश के एक व्यापारी को प्राप्त हुआ है जिसके लिए अनुमति निर्यात करने की आपने व्यापारी को दी है ? यदि हां, तो क्या उस देश मे और भी इसके निर्यात के बढाने की संभावना है जहां इसको और भी बढ़ाया जा सकता है ?

SHRI A. C. GEORGE : I am not sure whether it is 200 tonnes or not. But we are exploring all avenues because we have got a sizeable quantity of poppy husk. If this proposal is coming in a substantial from, we will be glad to accept it.

डा० लक्ष्मीनारायण पांडेय : अध्यक्ष महोदय, मैं आपके माध्यम से बताना चाहता हूँ मैने मंत्री जी को पत्र भी लिखा था और इनके पत्र की प्रतिलिपि भी दी है, जिसके द्वारा इनके मंत्रालय में 200 टन निर्यात की अनुमति दी है। उसके बाद भी यह कह रहे हैं कि इनको पता नही है।

अध्यक्ष महोदय : इन्होंने जवाब दिया है कि ये पता कर लेंगे।

Russian Steel for Manufacturing Nut-Bolts

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*1055. SHRI C. K. CHANDRAPPAN :
SHRI D. K. PANDA :

Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the U. S. S. R. has offered to export steel to India for making screws and bolts and then export them back to the Soviet Union;

(b) the salient features of the offer; and

(c) the advantages of this agreement ?

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA) : (a) to (c). A statement is laid on the Table of the House.

Statement

The U. S. S. R. has made a preliminary suggestion for import of screws from India against export of steel. The proposal is under examination and no details have yet been formulated. The proposal would help to promote the export of a new items of non-traditional character and create more employment opportunities in this line of industry.

SHRI C. K. CHANDRAPPAN : In view of the fact that the offer made by the Soviet Union has many positive factors in helping our small-scale industry, in providing more employment to people and in giving us the raw material required for the production of material and a ready market also, may I know whether the Government will give top priority and take a decision on this matter as soon as possible ?

SHRI L. N. MISHRA : We have already taken a decision. We have to import steel from the Soviet Union to make screws and bolts and export them back. We have already taken that decision.

WRITTEN ANSWERS TO QUESTIONS

उत्तर रेलवे द्वारा ढोया गया माल

*1043. **श्री जगन्नाथराव जोशी** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे ने गत एक वर्ष में कितना माल ढोया है; और

(ख) इससे इस अवधि में सरकार को कितना राजस्व प्राप्त हुआ ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) और (ख). 1971-72 में उत्तर रेलवे द्वार सम्हाले गये माल यातायात और अर्जित राजस्व के आंकडे नीचे दिये गये है:—

	1971-72
(1) ढोया गया मीटरिक टन (दस लाख मे)	
(i) राजस्व उपार्जक यातायात	39·14
(ii) राजस्व अनुपार्जक यातायात	5·94
(iii) जोड़	45·08
(2) राजस्व उपार्जक माल यातायात से अर्जित राजस्व (करोड़ रुपयों में)	88·63

Suggestion By India to Evolve New World Economic system at U.N.C.T.A.D at Santiago

*1045. SHRI NAWAL KISHORE SHARMA : Will the Minister of FOREIGN TRADE by pleased to state :

(a) whether at the U.N.C.T.A.D held at Santiago, India called upon other countries to evolve a new world economic system;

(b) if so, the salient features thereof; and

(c) how this system will be helpful to the developing nations ?

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA) : (a) to (c). Yes, Sir. In the policy statement made in Santiago by the Minister of Foreign Trade as Leader of the Indian Delegation, it was stated "the world economic system which we are trying to re-fashion principally through the forum of UNCTAD has become extremely complex and is under-going radical transformtions". As this was the first world wide Conference on Trade and Development after the adoption of the Strategy for the Second United Nations Development Decade, a unique opportunity to give concrete substance and action oriented content to many of the important provisions of the Strategy presented itself. The Conference dealt with a large number of items dealing with trade and development on a universal basis.

A copy of the agenda for UNCTAD III is placed at Annexurei. At UNCTAD III, India called for urgent action to be taken by the international community to liberalise the trade in commodities and manufactured items of export interest to developing countries. India also urged for a reform of the international monetary system so that it became more responsive to the needs of developing countries. In concert with other developing countries, India also made a number of important recommendations in the field of, inter alia, flow of financial resources to developing countries, shipping, action for the least developed among developing countries including land-locked countries, trade relations among countries having different economic and social systems, and trade expansion and economic cooperation among developing countries.

As a result of the action taken by India and other developing countries in the Group of '77', certain important decisions on these matters were taken at the Conference. For example, a special session of the Committee on Commodities will launch inter-governmental consultations on specific commodities so that international agreements and arrangements are forged in respect of them as soon as possible. In regard to manufactures, inter-governmental consultations for removal of non-tariff barriers, have been provided for. The developed countries have been urged to implement and improve upon their offers under G. S P. On financing, UNCTAD's role as well as the part to be played by developing countries in the reshaping of the international monetary system have been emphasised. Certain improvements in the flow of aid, terms of aid, as well as untying of aid have been agreed upon. For the first time, a code of conddct for Conference Lines has been drafted by the Group of '77' and presented to the developed countries. This code of co iduct will be considered in a special conference which will be called by the U. N. General Assembly A comprehensive resolution on the special measures to be taken on the least developed countries as well as the land-locked ones among them has been adopted. The UNCTAD agreed unanimously to develop the trade between

countries having different social and economic systems. The countries in the Eastern Europe have undertaken important obligations for expanding their trade with developing countries. The developing countries have also agreed to cooperate among themselves to expand their mutual trade.

When the resolutions adopted at UNCTAD are fully implemented, it is expected that in due course the developing countries will have a greater say in the decision making process of the international community on important economic matters than hitherto. Further, as a result of the progressive relaxation and eventual elimination of barriers affecting their trade, facilities would become available for the external trade of the developing countries to expand. In addition, the improvement of commercial infra-structure like shipping and insurance would also encourage the expansion of the trade of developing countries. The improvement in the volume and terms of flow of external financial resources would help in the acceleartion of the economic development of developing countries. Thus in due course the developing countries would be able to fulfil the concept of self-reliance and international cooperation.

पश्चिम रेलवे में चोरी, हत्या, लूट और डकैती की घटनाएँ

*1046. **श्री हुकम चन्द कछवाय** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गत वर्ष पश्चिम रेलवे में चोरी,हत्या, लूट और डकैती की कितनी घटनाएँ हुईं;

(ख) इनसे अनुमानत: यात्रियों की कितने रुपये की सम्पत्ति की हानि हुई; और

(ग) भविष्य में ऐसी घटनाओं को रोकने के लिये सरकार क्या कदम उठा रही है ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क)

वर्ष	चोरी	हत्या	लूट-पाट	डकैती
1971	1339	9	15	3

(ख) 9,38,571 रु०

(ग) (i) रात में चलने वाली सभी महत्व-पूर्ण गाड़ियो के साथ सरकारी रेलवे पुलिस के आरक्षी चलते हैं।

(ii) पर्यवेक्षक पुलिस अधिकारी, सरकारी रेलवे पुलिस के कर्मचारियों की ड्यूटी की जांच और सक्रिय अपराधियों पर निगाह रखते है।

(iii) परिचित अपराधियों की गतिविधियों पर रेलवे सुरक्षा दल द्वारा प्रच्छन्न निगाह भी रखी जाती है।

Steps to Secure Foreign Orders for Salt

*1056. SHRI IKRISHNA CHANDRA PANDEY : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether there is a great demand for Indian salt in the world market; and

(b) if so, the steps taken to secure order for this commodity ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C GEORGE) : (a) There is a fluctuating demand in the world market for Indian salt.

(b) Salt exports have been canalised through S. T. C., whose foreign offices are promoting sales abroad. S. T. C. utilises Indian Trade Missions to promote exports wherever it does not have its own offices. Delegations consisting of S. T. C. representatives and salt manufacturers undertake sales tours. Visiting delegations are also approached regarding purchases of salt.

Allotment of Wagons For Coal to West Bengal and Bihar

*1057. SHRI INDRAJIT GUPTA : Will the Minister of RAILWAYS be pleased to state :

(a) whether the coal industry in West Bengal is reciving about 650 less wagons

per day than the usual number, while Bihar coal industry is receiving 200 wagons more than its quota; and

(b) if so, the reasons for this maladjustment ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) and (b). Statistics of coal loading are not maintained by the Railways statewise. These are maintained field-wise or railway-wise. Collieries situated in both the States of West Bengal and Bihar constitute one composite field i. e., Bengal & Bihar coalfields. Movement from the Bihar or the West Bengal portion collieries in these fields depends on the various factors like the priority of their demands, materialisation of empties in the particular sphere, pilot working, route restrictions etc.

2. Rough estimate shows that the daily average number of wagons loaded from Bengal and Bihar collieries in Bengal-Bihar fields had been as under:—

(Daily average number of wagons loaded)

	West Bengal Collieries	Bihar collieries
1969-70	2418	3824
1970-71	2106	3436
1971-72	2066	3581
February 72	2165	3729
March 72	2214	3858
April 72	2227	3621

Average daily loading in West Bengal fields in 1971-72 had been only 352 wagons less per day as compared to 1969-70, the normal year, while average daily loading in Bihar fields in 1971-72 was 243 wagons less than that in 1969-70. Loading from West Bengal area has picked up from February, 72.

3. Loading from West Bengal fields suffered most due to various anti-social activities in Asansol spheres. Moreover, loading from Jharia in Bihar fields had to be kept up due to the same loading coking coal to the steel plants and washeries. Operation in Karanpura of Bihar fields was not much affected by anti-social activities.

Conversion of All-India Handloom Board into a Statutory Body

*1058. SHRI NIHAR LASKAR : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government are considering the question of converting the All-India Handloom Board into a statutory body; and

(b) if so, at what stage the proposal stands at present ?

THE MINISTER OF FOREIGN TRADE (SHRI L. N MISHRA) : (a) Yes, Sir.

(b) The proposal is likely to take some more time to finalise.

Yunus Committte *Re* Affairs of Coca Cola Export Corporation

*1059. SHRI B. V. NAIK : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government propose to lay on the Table the report of the Yunus Committee in regard to the Affairs of the Coca Cola Export Corporation and if so, when;

(b) the steps taken by Government in the light of the report so far; and

(c) the name of the chemical ingredient imported by the Corporation and how much of it is actually used per bottle and the percentage of this ingredient in the finished product ?

THE MINISTER OF FOREIGN TRADE (SHRI L N. MISHRA) : (a) to (c). The so called Yunus Committee was an inter departmental fact finding Committee. Its terms of reference were to look into the import content of the Coca Cola Concentrate which is being exported, in order to recommend the rate of replenishmeet licence on such exports. The Committee came to the conclusion that import content of the Coca concentrate was 4·5%. On the basis of this report replenishment licence upto 4·5% on the total export of Coca Cola concentrate is

allowed. The chemical ingredients imported against the replenishment scheme are :

(a) Mixtrue of odoriferous substances, non-alcoholic.

(b) Essences containing spirit.

(c) Natural orange and lemon oil, other natural essential oils (permissible items).

(d) Citric Acid.

(e) Synthetic essential oils.

(f) Vanila Beans.

The Coca Cola Export Corporation have to give an undertaking alongwith the import application that the imported material shall be used only for export production and shall not be disposed of locally to the bottlers or elsewhere. The imported ingredients are thus used exclusively for manufacture of the Coca Cola Concentrate which is exported and not by bottlers. The percentage of the ingredient in the finished product is 4·5% as assesed by the Yunus Committee.

Soviet Assistance for Export-Oriented Industries

*1060. SHRI H. M. PATEL : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the Soviet assistance has been sought for developing export-oriented industries in India; and

(b) whether Government of India have had any discussion with the Soviet Government in this regard and if so, the decisions taken by the two Governments ?

THE MINISTER OF FOREIGN TRADE (SHRI L. N. MISHRA): (a) and (b). Preliminary discussions have taken place with the U. S. S. R. authorities on the question of Soviet assistance, including offer of credit facilities, for setting up export oriented industries in India. No details have yet been worked out.

Shortage of Wheel Tyres on Western Railways

7861. SHRI PANNA LAL BARUPAL : Will the Minister of RAILWAYS be pleased to state :

(a) whether there is an acute shortage of wheel tyres on the Western Railway and engines are put on line with condemning size of tyres on Western Railway;

(b) whether such tyres can cause accident at any time and if so, the reasons for putting public life into danger by allowing unsafe engines on line;

(c) the total number of engines in operation with either condemning size of tyres or varied size of tyres; and

(d) whether Government propose to appoint an Expert Committee of Engineers to examine all the locomotives which are being used on Western Railway from the point of view of the safety of travelling public and Railway property ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) There is no acute shortage of wheel tyres on the Western Railway and no train engine is put on line with condemning size of tyres.

(b) to (d) . Do not arise.

Import of Steel from Rupee Countries

7862 SHRI VAYALAR RAVI : Will the Minister of FOREIGN TRADE be pleased to refer to the reply given to Unstarred Question No 4987 on the 4th April, 1972 regarding import of steel from USSR and state :

(a) the names of actual users and canalising agencies who have been given import licences to import steel from the Rupee payment conuntries during 1972-73; and

(b) the total quantity of steel for which licences have been issued ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). Quantity-wise

import licensing statistics are not maintained. However, all other particulars relating to each individual import licence are published in the Weekly Bulletin of Industrial Licences. Import Licences and Export Licences copies of which are supplied to Parliament Library regularly.

Import of Newsprint from U.S.S.R.

7863. SHRI BISHWANATH JHUNJHUNWALA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government have reached an agreement with the Soviet Union for the supply of newsprint to our country;

(b) if so, the total quantity of newsprint that has been contracted for import and the rate thereof; and

(c) the extent to which the need for newsprint will be met by this import ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) The Indo-USSR Trade Plan for the year 1972 signed in Moscow on the 5th May, 1972 between the Government of India and the Government of USSR provides for supply of newsprint by USSR to India. A delegation from the USSR is currently in India to negotiate and to finalise the contract with the State Trading Corporation of India.

(b) and (c). Do not arise as the negotiations are still in progress.

Suspension of Employees of Traffic and Commercial Departments (Northern Railway)

7864. SHRI ISHWAR CHAUDHRY : Will the Minister of RAILWAYS be pleased to state :

(a) the number of staff belonging to Traffic and Commercial Departments of Northern Railway, Division-wise, who were placed under suspension during the last three years;

(b) the number of staff against whom disciplinary action for major penalty was initiated but who were not placed under suspension; and

(c) the number of cases which have since been finalised and in which punishments have been imposed ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) to (c). Information is being collected and will be laid on the table of the Sabha.

Export Earnings of Handicrafts

7865. SHRI VAYALAR RAVI : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the Fourth Plan export target of Handicrafts and the actual export earnings in 1971-72;

(b) the number of Sales-cum-Study teams which went abroad during 1970-71 and 1971-72 to explore the possibility of increasing handicrafts exports and the results thereof; and

(c) the nature of assistance and incentives given by Government for the development of this industry ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) The Fourth Five Year Plan export target of handicrafts was fixed at Rs. 100 crores. Exports during 1970-71 were of the order of Rs. 82·30 crores. During 1971-72 actuals upto November, 1971 were Rs. 59·30 crores and the exports estimated for the full year are Rs. 85·00 crores.

(b) Five Sales-cum-Study teams went abroad during 1970-71. A Market Orientation Tour of handicrafts exporters was arranged during 1971-72. These teams contacted importers, stockists, designing institutions & exports, etc. in the places visited by them. The teams also carried samples along with them, arranged their displays and booked sizeable orders. They also opened new avenues for Indian handicrafts.

(c) Assistance to the handicrafts industry is given in various forms. Important among

these are (i) attending to trade enquiries, (ii) circulation of trade enquiries from abroad, (iii) assisting in problems of freight and shipping, (iv) fixation of rates of drawback of import and excise duties, (v) issue of certificates of origin to the exporters of handicrafts under the Generalised System of Preferences offered by EEC countries & Japan, and (vi) design promotion, training and technical guidance.

Registered exporters of handicrafts are also given incentives in the from of replenishment import licences. These are given in Volume II of the Import Trade Control Policy for 1972-73, which has already been laid on the Table of the House.

Import of Fish from Bangladesh

7866. SHRI DEVINDER SINGH GARCHA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the recently concluded trade agreement with Bangladesh, Government have agreed to import fish from Bangladesh;

(b) whether Government are experiencing difficulties in importing the fish from Bangladesh; and

(c) if so, the nature of difficulties experienced ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c). A provision of Rs. 9 crores has been made in the Limited Payments Arrangement between the Governments of India and Bangladesh for import of fresh fish from Bangladesh.

The Central Fisheries Corporation has been designated as the agency for its import into India. Detailed arrangements are being worked out and initial discussions with the Bangladesh authorities have already been held. It is not expected that there will be any difficulties in importing fish. Transport from certain areas may present problems. The arrangements between exporters in Bangladesh and the authorised importer—the Central Fisheries Corporation – have also to be organised. These matters have been studied in detail through exchange of visits. Further discussions to finalise the detailed arrangements will be held in June, 1972.

Export Potential Survey in Punjab

7867. SHRI DEVINDER SINGH GARCHA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether export potential survey has been carried out in Punjab by Indian Institute of Foreign Trade;

(b) if so, the salient features of the survey and the commodities selected for export; and

(c) if not, when the institute is likely to conduct a survey there ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) No, Sir.

(b) Does not arise.

(c) The proposal is under consideration and a decision will be taken as early as feasible.

Export Order for Transistors from Hong Kong

7868. SHRI DEVINDER SINGH GARCHA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether exported order for the supply of 10 million transistors to Hong-Kong has been secured by an Indian firm;

(b) if so, the estimated value of the transaction; and

(c) the period in which the above order is to be executed ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c). Government do not normally maintain a record of the transactions of individual Indian exporters. However, according to information available, a substantial order for Semi-conductor Devices has been received by an Indian firm from Hong Kong.

Cotton price in Andhra Pradesh

7869 Will the Minister of FOREIGN TRADE be pleased to refer to the reply given to Unstarred Question No 4647 on the 2nd May, 1972 regarding fall in price of cotton in Andhra Pradesh and state :

(a) the price fixed by Government for the purchase of cotton in Andra Pradesh and whether the purchase prices vary from State to State if so the reasons therefor,

(b) how the fixed price compares with the prevailing price in the market before and after fixing of the price ?

(c) whether purchases are made by the Cotton Corporation direct or through agents, and

(d) the quantity of cotton purchased in Andhra Pradesh since the time the Cotton Corporation entered the market ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) (a) to (d) Fair purchase prices announced by Govt in respect of varieties of cotton in Andhra Pradesh and the relevant market prices before and after the announcement of the fair purchase prices are indicated below

(Price in Rs per quintal for kapas)

Variety	Fair purchase prices	Price before announce-ment	Prices after announce-ment
Laxmi	210	190/195	190/195
MCU-5	320	280/282	285/290
Hybrid-4	320	280/282	285/290
L-147	230	Not available	Not available
Sea Island Andrews	365	245/255	245/255

The purchase prices are bound to vary from State to State as the varieties grown differ from area to area

The Cotton Corporation of India had entered cotton market in Andhra Pradesh on 25th February 1972 The Corporation started making purchases through nominated agents as the Andhra Pradesh State Cooperative Marketing Federation was not prepared to perform this work Meanwhile steps were taken by the Corporation to evolve arrangements through this Federation and since 15th April, 1972, the Corporation has been making purchases only through the Federation

Confirmation of Employees in Election Commission

7870 SHRI SAT PAL KAPUR Will the Minister of LAW AND JUSTICE be pleased to state

(a) the total number of permanent posts of different grades in the Election Commission of India

(b) whether some of the permanent posts in various grades are lying vacant and if so, their number in each grade and since when they are lying vacant

(c) the total number of employees in the Election Commission of India recruited through U P S C who have successfully completed the probation period of two years and have not so far been made permanent, and

(d) the time by which, such employees are likely to be confirmed ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY) (a) A statement showing the number of permanent posts of different grades in the Election Commission is enclosed

(b) Appointments to permanent posts in all grades in the Election Commission have been made either in a substantive or a temporary capacity.

(c) 15 Lower Division Clerks.

(d) Only ten permanent posts of Lower Division Clerks against which confirmation can be made have not yet been filled in a substantive capacity, because the question of regulation of the appointments of certain Lower Division Clerks who have been working in the Commission on *ad hoc* basis for a number of years is under consideration. The confirmation of these 15 Lower Division Clerks against the available permanent vacancies will be considered after a decision on the regularisation of the appointments of the *ad hoc* Lower Division Clerks is taken.

Statement

S. No.	Particulars of Grade	Total No. of permanent post
1.	Deputy Election Commissioner	1
2.	Secretary	1
3.	Under Secretary	4
4.	Section Officer	13
5.	Superintendent (Legal)	1
6.	Private Secretary to the Chief Election Commissioner	1
7.	Senior Personal Assistant	1
8.	Assistant	43
9.	Stenographer (Grade II)	2
10.	Stenographer (Grade III)	3
11.	Lower Division Clerk	46
12.	Staff Car Driver	1
13.	Record Sorter	1
14.	Gestetner Operator	2
15.	Daftry	10
16.	Jamadar	2
17.	Peon	21
18.	Farash	3
19.	Sweeper	3
20.	Chowkidar	2
	Total :	161

Wagons declared Obsolete

7871. SHRI SAT PAL KAPUR: Will the Minister of RAILWAYS be pleased to state :

(a) the total number of wagons declared obsolete and withdrawn during the last three years, year-wise;

(b) the total number of wagons repaired and put to use during the last three years, year-wise;

(c) the present total demand of wagons in the country and how far it is met;

(d) the total number of wagons imported during the last three years, year-wise and from which country; and

(e) the time by which the total demand of wagons is likely to be met ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) The number of wagons (in terms of 4-wheelers) withdrawn due to condemnation/obsolescence during 1969-70; 1970-71 and 1971-72 was 7636·5,7129·5 and 7021 respectively. This number include a few wagons sold to Steel Plants etc.

(b) The total number of Broad Gauge and Metre Gauge wagons (in terms of 4-wheelers) repaired in workshops and put to use during 1969-70, 1970-71 and 1971-72 was 1,20,623; 1,16,606 and 1,07,408·5 respectively.

(c) It is difficult to assess exactly the demand for and availability of wagons at a particular time as these depend on the traffic offering and turn round of wagons. Pending indents have been found to be highly inflated. The turn round depends on a number of variable like normalcy in train operation, detention for loading and unloading, normalcy in working in industries etc. Though the number of wagons owned now are more or less adequate to meet the current demand, there is temporary shortfall in availability due to higher turn round on account of various adverse factors. To make up this shortfall, the Railways propose to procure a total of 71,776 wagons (in terms of 4-wheelers) during the 4th Plan period. This includes 36,148 wagons for additional traffic and 35,628 wagons for replacement of the overaged fleet.

(d) Nil.

(e) Demand is expected to be met satisfactorily as soon as the various adverse factors affecting wagon availability are con-

trolled and the additional wagons ordered are available.

Railway Employees arrested due to Theft of Coal

7872. SHRI SAT PAL KAPUR : Will the Minister of RAILWAYS be pleased to state :

(a) the total amount of coal belonging to Railways stolen during the last three years, year-wise and the value thereof.

(b) whether any person or persons have been arrested in this connection and, if so, the particulars thereof;

(c) whether these persons include some railway employees also; if so, their number and the action taken against them; and

(d) the measures adopted or proposed to be adopted to check the theft of coal ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) The total amount of coal stolen on the Indian Railways and value thereof for the last three years is given below :

Year	Quantity stolen	Value
	Kgs.	Rs.
1969	1,94,743	22,623
1970	2,70,321	15,929
1971	1,32,961	22,680

(b) and (c). Number of persons arrested is given as under :

Year	Railway employees	Outsiders
1969	188	3,756
1970	267	2,605
1971	203	2,515

The Railway employees were either prosecuted or dealt with departmentally on the basis of evidence available.

(d) The following preventive measures are taken to prevent coal thefts on the Railways :

(i) Armed patrolling has been intensified to prevent and detect theft of coal.

(ii) Armed escorts are provided to pass the goods trains containing coal wagons.

(iii) Surprise raids are jointly arranged by the Zonal Crime Intelligence Branch and the local police.

Export Orders received by Project and Equipment Corporation for Supply of Plant to Ceylon

7873. SHRI DEVINDER SINGH GARCHA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Projects and Equipment Corporation has secured export orders for the supply, assembly and installation of plant and equipment for a foundry in Ceylon; and

(b) if so, the broad outlines thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes, Sir.

(b) The Project consists of design, manufacture, supply and installation of plant and machinery for a steel foundry at an approximate value of Rs. 15 lakhs, and the equipment will be supplied over a period of 15 to 18 months. The project will be undertaken in collaboration with M/s. New Standard Engineering Co. Ltd. of Bombay.

Installation of Shifted Foreign Plants in Punjab

7874. SHRI DEVINDER SINGH GARCHA : Will the Minister of FOREIGN TRADE be pleased to refer to the reply given to Unstarred Question No. 181 on the 29th March, 1972, regarding shifting of plants from U. K. and Netherland to India and state :

(a) whether there is a proposal under consideration of Government to instal any of the foreign plants proposed to be shifted to India in Punjab; and

(b) if so, the lacation poposed ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) No, Sir.

(b) Does not arise.

Resistance to Handloom Weavers of Andhra Pradesh

7875. SHRI Y. ESWARA REDDY : Will the Minister of FOREIGN TRADE be pleased to state the assistance rendered to the handloom weavers individually and to the handloom industry in general in each of the backward districts of Andhra Pradesh ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : The assistance to handloom weavers individually and to the handloom industry in general in each of the backward districts of Andhra Pradesh is given by lhe Government of Andhra Pradesh. The information asked for is not available with the Central Government.

Issue of Instructions not to seal covers containing Ballot Papers during Elections to West Bengal Legislative Assembly

7876. SHRI TRIDIB CHAUDHURI : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether several District Magistrates and District Election Officers in West Bengal including the D. M. and D. E. O. of Birbhum, West Bengal issued special instructions to the Presiding Officers not to seal or close with gum covers containing Ballot Papers accounts in Form 16 and Presiding Officers' Diary at each Polling Station on the eve of Assembly Elections in West Bengal on 11th March, 1972;

(b) if so, whether this was done with the concurrence of and under instructions from the Chief Election Commissioner, India or the Chief Election Officer, West Bengal; and

(c) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY) : (a) and (b). The instructions issued by the District Election Officers in West Bengal including the District Election Officer, Birbhum District, not to seal the cover containing the ballot paper account in Form 16 and the Presiding Officer's diary at each polling station, on the eve of the Assembly elections, held in West Bengal on March 11, 1972, were based on the directions issued by the Commission. These directions of the Commission were in conformity with the rules under the Conduct of Elections Rules, 1961. Moreover, the above directions were applicable not only to West Bengal but also to all the other 15 States and 2 Union territories in which the General Elections were held in March, 1972.

(c) Rule 45 of the Conduct of Elections Rules, 1961, does not require sealing of the cover containing the ballot paper account. From rule 47 it could be seen that that rule in effect provides that the packet containing the ballot paper account should not be sealed. Rule 55 requires the Returning Officer to count and record in Part II of the ballot paper account in Form 16 and, consequently, it would be evident that it would not be possible to record the total number of ballot papers found in the ballot box or boxes used at a polling station if the ballot paper account is kept in a sealed packet. Even at the stage of rule 57 there is no requirement regarding the sealing of the packet containing the ballot paper account.

So far as the Presiding Officer's diary is concerned, it is not a statutory document and there is no provision in election law or the rules regarding the maintenance of any diary by the Presiding Officer of any polling station. The diary is maintained as per the directions of the Commission contained in paragraph 53 of the Instructions to the Presiding Officers.

From the reasons set out above, it would be evident that the entire procedure followed is in strict conformity with the relevant rules and the directions of the Commission.

Allotment of Wagons for Coal and General Merchandise by Assistant Operating Superintendent, Barkakana, Dhanbad Division (Eastern Railway)

7877. SHRI RAMAVATAR SHASTRI : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Assistant Operating

Superintendent, Barkakana in Dhanbad Division (Eastern Railway) is authorised to allot wagons to the collieries or merchants for loading of coal and general merchandise;

(b) whether the timber merchants at Dhanbad (Eastern Railway) complained to Member, Transport, during his inspection on the 23rd February, 1972 that wagons were not being supplied to them in their turn; and

(c) if so, the action taken by Govenment in the matter ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) The Assistant Operating Superintendent, Barkakana is authorised to allot wagons for loading of goods traffic from the stations under his control. Allotment of wagons to collieries for loading of coal is, however, controlled by the Joint Director, Transportation (Coal), who functions from Calcutta.

(b) and (c). The Timber Merchants of Latehar sent a representation about inadequate supply of wagons to the Member Traffic, Railway Board on 23rd February, 72 when the latter had gone over that sctione for inspection.

The position of wagon supplies for goods loading in the section was explained to them by the Divisional Superintendent, Dhanbad, who accompanied the Member, Traffic. More wagons were supplied for loading of timber and other forest produce from Latehar during the period January to March, 72 as compared to the corresponding period of last year.

Classification under Hours of Employment Regulation of Electrical/Mechanical Signal Maintainer

7878. SHRI CHANDRIKA PRASAD : Will the Minister of RAILWAYS be pleased to state :

(a) whether for the posts of E. S. M. and and M. S. M. S. Grade Rs. 175-240 classified 'Continuous' proper arrangements for weekly rest through Rest-giver staff is made; and

(b) If not, the reasons therefor ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) and (b). Period rests are allowed to all those employees classified as 'Continuous'. Rest Givers have been provided for those who work round the clock in shift duty. In the case of others, periodic rests are arranged locally within the existing staff.

Purchase of Flat by M. M. T. C. for Regional Manager

7879. SHRI K. MALLANNA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether M. M. T. C. purchased a flat in Bhomeshwar Sagar, Napean Sea Road, Bombay at a cost of Rs. 1,65,200 sometimes back for the residence of Regional Manager; if so reasons therefor;

(b) whether the Regional Manager was entitled to such a costly residence;

(c) whether maintenance and repairs of the Napean Sea Road flat cost as much as Rs. 3,80,244 a year while the rent collected from the Regional Manager is Rs. 2,250 per year; and

(d) whether Government propose to hold inquiry into the matter and if not, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes, Sir. The M. M. T. C. purchased this flat on account of difficulties which were being experienced in finding suitable accommodation for Officers because of high rate of rents in Bombay.

(b) The flat is within the normal entitlement of the Regional Manager.

(c) The cost of maintenance of the flat is only Rs. 3,162/-per annum and the rent collected from the Regional Manager amounts to Rs. 2,400/- per annum.

(d) As the flat allotted to the Regional Manager is within his normal entitlement, no enquiry in the matter is necessary.

Minimum Support Price of Cotton

7880 SHRI TRIDIB CHAUDHURI
SHRI ISHWAR CHAUDHRY

Will the Minister of FOREIGN TRADE be pleased to state

(a) whether in view of the current slump in the market prices of Indian grown cotton, Government propose to ask the Agricultural Prices Commission or any other expert body to go into the question of minimum support prices of cotton in this country, and

(b) whether the Cotton Corporation of India or the Central Cotton Committee has made any suggestions in this regard and if so, the rate of support price recommended ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) (a) and (b) No Sir

Demand of Maize Oil in Foreign Countries

7881 SHRI NARENDRA SINGH
Will the Minister of FOREIGN TRADE be pleased to state

(a) whether Government are aware of the demand of maize oil in foreign countries, and

(b) if so, the names of the countries which have shown interest in its import and the quantity thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C. GEORGE) (a) and (b). The Government is not aware of any inquiries having been received from abroad for the import of maize oil from India

सामान न चढ़ाने के लिये उदयपुर जिले के व्यापारियों से वसूल किया गया जुर्माना

7882 **श्री लालजी भाई** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) राजस्थान के उदयपुर जिले की उन फर्मों के नाम क्या हैं, जो दबोक, देबारी और खेमली स्टेशनों पर उन्हें अलाट किये गये माल-डिब्बों में समय पर माल न चढा सकीं तथा उनसे गत तीन वर्षों में इस कारण कितना जुर्माना वसूल किया गया, और

(ख) उनसे अभी कितना जुर्माना वसूल किया जाना है तथा अब तक जुर्माना वसूल न किये जाने के क्या कारण हैं ?

रेल मंत्री (श्री के० हनुमन्तैया) (क) देबारी और खेमली स्टेशनों पर, नीचे लिखी फर्में उन्हें आवंटित माल-डिब्बों में माल का लदान नि.शुल्क समय में पूरा नहीं कर सकीं। उनसे इस करण जुर्माने की जो रकम वसूल की गयी वह उनके नाम के आगे दिखायी गयी हैं:—

	1969–70	1970–71	1971–72
	रु० पै०	रु० पै०	रु० पै०
देबारी			
मैसर्स हिन्दुस्तान जिंक लिमिटेड	1,575 00	38 80	कुछ नहीं
खेमली			
मैसर्स उदयपुर सीमेंट वर्क्स	कुछ नहीं	170 80	कुछ नहीं

उदयपुर जिले में 'दबोक' नाम का कोई स्टेशन नहीं है।

(ख) इस समय इन फर्मों के नाम कोई रकम बकाया नहीं है।

Introduction of a Direct train from Daltonganj to Patna

7883. KUMARI KAMLA KUMARI : Will the Minister of RAILWAYS be pleased to state :

(a) whether attention of Government has been drawn to an article appearing in '*Saptahik Haldhar*' on the 20th April, 1972 under the caption Daltongon-Patna Sidhi Train Seva; and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) No.

(b) Daltonganj-Patna direct train service is neither economically justified nor operationally possible.

Palamau ko Sarkar Loot Rahi Hai

7884. KUMARI KAMLA KUMARI : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether the attention of Government has been drawn to the article appearing in '*Saptahik Haldhar* on the 20th April, 1972 under the caption Palamau ko Sarkar Loot Rahi Hai; and

(b) if so, the reaction of Government thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) Yes.

(b) In Palamau district, the Jinjoi and Chacko projects are already in operation, while the Araj, Banki Lift and Butandube Schemes are under construction.

The Government of Bihar have also proposed new projects like the North Koel, Maila, Danro, Chirka, Kanhar, Auranga and Batana projects. These are under technical examination in the Central Water and Power Commission, keeping in view the inter-State aspects involved in use of Sone Waters, on which differences have arisen between Bihar, Madhya Pradesh and Uttar Pradesh States.

विकासशील देशों को अपनी एक प्रतिशत राष्ट्रीय आय देने का समृद्ध देशों का निर्णय

7885. श्री मूलचन्द डागा :
श्री हरि किशोर सिंह :

क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या संटियागो में हो रही अंकटाड की बैठक में समृद्ध देशों के प्रतिनिधियों ने विकासशील देशों के लिये अपनी राष्ट्रीय आय का एक प्रतिशत देने का निर्णय किया है; और

(ख) यदि हां, तो इस निर्णय को कब तक क्रियान्वित किये जाने की सम्भावना है ?

विदेश व्यापार मंत्रालय में उपमंत्री (श्री ए० सी० जार्ज) : (क) और (ख). अंकटाड के दूसरे सत्र में विकसित बाजार अर्थव्यवस्था वाले देशों ने, विकासशील देशों को विकास सहायता के रूप में अपने सकल राष्ट्रीय उत्पादन का एक प्रतिशत देने का लक्ष्य स्वीकार कर लिया था। अंकटाड के तीसरे सत्र ने इस लक्ष्य की पुनः पुष्टि की और उन विकसित देशों को जो इस लक्ष्य को 1972 तक पूरा न कर सकें, बिना किसी और विलम्ब के जो किसी भी दशा में 1975 के बाद न हो, इसे पूरा करने के लिये प्रयास करने का आवाहन किया। कुछ विकसित बाजार अर्थव्यवस्था वाले देशों ने इस लक्ष्य को स्वीकार करते हुए, किसी विनिर्दिष्ट तिथि तक इसे प्राप्त करने के बारे में संकोच व्यक्त किये।

Transfer of Foreign Owned Plant in backward areas

7886. SHRI P. NARASIMHA REDDY : Will the Minister of FOREIGN TRADE be pleased to refer to the reply given to Starred Question No. 181 dated the 29th March, 1972 regarding shifting of plants from U. K. and Netherlands to India and state whether the foreign plants proposed to be shifted to India will be located in industrially States and Districts and if so, where ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : As mentioned in reply to Lok Sabha Starred Question No. 181 answered on 29-8-1972, the Government have approved proposals for transfer of three working plants from U. K and one working plant from Netherlands to this country. Out of the three plants from U.K., two are to be shifted to Madras in Tamil Nadu State and one to Sangli in Maharashtra State. The plant from Netherlands is to be shifted to Gurgaon Road in Haryana State.

Transfer of Foreign Owned Plants to India

7887. SHRI P. NARASIMHA REDDY : Will the Minister of FOREIGN TRADE be pleased to state the number and nature of proposals processed by the Trade Development Authority for transfer of overseas foreign-owned manufacturing plants to India ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A.C. GEORGE) : Government have approved proposals received through Trade Deveolpment Authority for transfer of three working plants from U. K. and one from Netherlands to India The details of these proposals are given in reply to Lok Sabha Starred Question No. 181 answered on 29-3-1972 by the Minister of Industrial Development.

Comparison of Thefts and other Crimes of Southern and Western Railway with other Zonal Railways

7888. SHRI P. NARASIMHA REDDY : Will the Minister of RAILWAYS be pleased to state :

(a) whether thefts and other crimes are more in South Central, Northern, South Eastern and Eastern Railways than in Southern and Western Railways :

(b) whether it is due to lesser number of T. T. Es. and Railway Police personnel assigned to the South Central, Northern, South Eastern and Eastern Railways; and

(c) the steps being taken to remedy the situation ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

Cases of Import Licences on Fictitious Name Registered by C. B. I.

7889. SHRI KRISHNA CHANDRA PANDEY : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the number of cases registered by the Central Bureau of Investigation re. the import licences obtained on fictitious names during the last three years, as on 31st October, 1971;

(b) the number of cases where legal proceedings were taken/finalised; and

(c) the number of such cases in which fraud was established ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) 17.

(b) 10.

(c) 10.

भारतीय फिल्मों के निर्यात को प्रोत्साहन देने के लिए सुविधायें

7890. **श्री ओंकार लाल बेरवा** : क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि भारतीय फिल्मों के निर्यात को प्रोत्साहन देने के लिए क्या सुविधाएँ देने का प्रस्ताव है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : विद्यमान नीति में भारतीय फिल्मों के निर्यात को बढ़ावा देने के लिए बहुत सी सुविधाएँ दी गई हैं। भारतीय फिल्मों के निर्यात को बढ़ावा देने हेतु अतिरिक्त सुविधाएँ देने के लिए कोई विशिष्ट प्रस्थापना विचाराधीन नहीं है।

Import of Newsprint

7891. SHRI VEKARIA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the quantity of newsprint imported during the last three years year-wise and country-wise;

(b) the foreign exchange involved therein; and

(c) the steps Government are taking to make India self-sufficient in newsprint ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). A statement showing quantity and value of newsprint paper imported during the year 1968-69 to 1971-72 (upto November, 1971) is laid on the Table of the House. [*Placed in Library. See No.* LT— 3109/72] Import statistics beyond November, 1971 are not yet available.

(c) A statement is laid on the Table of the House. [*Placed in Library. See No.* LT—3109/72]

Belt Crete invented by Engineers of Beas Dam

7892. SHRI RAJDEO SINGH : Will the Minister of IRRIGAION AND POWER be pleased to state :

(a) whether the engineerss of the Beas Dam Project have invented and fabricated a Belt Crete which can supply concrete at any point between its span;

(b) if so, the amount of foreign exchange saved thereby;

(c) whether Government propose to take up the manufacture of the Belt Crete on commercial basis; and

(d) if so, the salient features of the proposal ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) Concreting by Belt Crete has been indigeneously developed by Beas Dam Engineers.

(b) Rs. 2·50 lakhs.

(c) There is no such proposal at present.

(d) Does not arise.

Strike by Textile Workers in Pondicherry

7893. SHRI M. M. JOSEPH : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether about 12,000 textile workers in Pondicherry Karaikal and Mahe went on an indefinite strike on the 12th April, 1972 to press their demands; and

(b) if so, their main demands and the reaction of Government thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A G. GEORGE) : (a) About 10,000 workers in Pondicherry went on an indefinite strike on 12th April, 1972.

(b) The main demands of the workers were revision of basic wages and dearness allowance, minimum bonus of 8 833%, permanency, gratuity etc. A settlment has been reached between the management and the workers and the strike has been called off.

भारतीयों द्वारा विदेशों में होटलों की स्थापना

7894. श्री ओंकार लाल बेरवा :
श्री हुकम चन्द कछवाय :

क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने कुछ भारतीय नागरिकों को विदेशों में होटल खोलने की अनुमति दी है, और

(ख) उन देशों के क्या नाम हैं जहां ऐसे होटल खोले जायेंगे ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) और (ख). सरकार ने एक भारतीय पार्टी को मारीशस में संयुक्त उद्यम के रूप में एक होटल स्थापित करने की स्वीकृति प्रदान की है।

Cost of Production and yield rate of Tea

7895. SHRI BISWANARAYAN SHASTRI : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the difference in cost of production and yield rate of tea within the same excise zone, in the North and South; and

(b) whether any report on cost of production was published by the Plantation Enquiry Committee ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) A statement is attached.

(b) Yes, Sir. There was a Chapter on Cost of Production in the Report of the Plantation Enquiry Commission, 1956.

Statement

Statement showing cost of production and yield rate of tea in the same Excise Zones in respect of North and South India on the basis of sample survey of 1970 position conducted by Tea Board.

	North India		South India	
Excise Zone	Cost of Production (Rs per Kg)	Yield rate per Hectare (Kg)	Cost of Production (Rs. per Kg.)	Yield rate per Hectare (Kg.)
I	4·89	722	4·49	1193
II	5·86	1310	5·56	1478
III	11·06	510	—	—
IV	—	—	4·90	1602
V	7·04	1287	—	—

ईरान में एटलस साइकिल इंडस्ट्रीज द्वारा एक एकक की स्थापना

7896. डा० संकटा प्रसाद : विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या एटलस साइकिल इंडस्ट्रीज ईरान में एक एकक स्थापित कर रही है, और

(ख) यदि हां, तो तत्सम्बन्धी मुख्य ब्यौरा क्या है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) और (ख). सरकार को ईरान में संयुक्त उद्यम के रूप में एक एकक स्थापित करने के लिए मै० एटलस साइकिल इण्डस्ट्रीज से कोई प्रस्थापना प्राप्त नहीं हुई है।

Acquisition of Land in 1960 for Railway Crossing Project near Parsouni Railway Station

7897. SHRI BHOGENDRA JHA : Will the Minister of RAILWAYS be pleased to state :

(a) whether about ten acres of land was acquired from poor land-owners in 1960 for Railway Crossing project near Parsouni Rail-

way Station in Samastipur Division of North-Eastern Railway;

(b) if so, whether compensation for the same has been paid; and

(c) if not, the reasons for delay ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) Land acquisition for Railways is made through the State Government. According to the information received from them, all compensation has been paid.

(c) Does not arise.

उत्तर प्रदेश में रूई के मूल्य में गिरावट

7898. **श्री हरी सिंह** . क्या **विदेश व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस बात की जानकारी है कि उत्तर प्रदेश में रूई के मूल्य में तेजी से गिरावट आ रही है और किसान को अपने उत्पाद का उचित मूल्य नहीं मिल रहा; और

(ख) यदि हा, तो उत्तर प्रदेश मे रूई की कीमत मे गिरावट को रोकने के लिए सरकार क्या कार्यवाही कर रही है

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) उत्तर प्रदेश द्वारा रूई, अधिकाशत: देशी किस्म की रूई, का उत्पादन अनुमानत: 90,000 गांठें हैं। कीमतों मे तेजी से गिरावट के बारे में कोई शिकायत प्राप्त नही हुई है। आशा है कि उत्तर प्रदेश में पैदा हुई समूची रूई बिक चुकी है।

(ख) प्रश्न नही उठता।

Price of Cotton in Tripura

7899. SHRI DASARATHA DEB : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government are aware that the price of cotton in Tripura has fallen down sharply; and

(b) if so, what steps Government propose to take to protect the interests of cotton growers ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) No, Sir. The statistical data furnished by Tripura Government shows that cotton prices in markets in Tripura during the current cotton year are higher than the prices ruling last year :

(Rs. per bale)

Markets	1970-71	1971-72
1. Agartala	450	450-550
2. Radha-kishorepur	350-400	400-600
3. Belonia	350-425	350-500
4. Khowai	325-375	325-500
5. Tehamura	400	500-600
6. Fatikuli	400	450-500
7. Pani-Chowki	450	400-475

(b) Does not arise.

Uniform Price of Cotton

7900. SHRI B. V. NAIK : Will the Minister of FOREIGN TRADE pe pleased to state :

(a) whether there is a proposal to fix uniform prices of raw cotton in the country;

(b) if not, the reasons therefor; and

(c) the differeces in prices of a bale of raw cotton in Bombay, Calcutta and other major cotton markets ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c). Till 1970-71, minimum support prices for different varieties of cotton (lint) were fixed, As even then the market prices ruled much above the support price levels, support prices for the cotton season, 1971-72 were not fixed. However, in order to counteract the steep decline in prices this year, the Cotton Corporation of India has been asked to make purchases at certain pre-determined fair prices fixed for different varieties grown in different States.

It is difficult to quantify the exact difference in raw cotton prices in Bombay, Calcutta and other major cotton markets as the same would depend on the varieties and grades of cotton and their origin. Normally, the difference would be equivalent to difference in freight between the place of production to Bombay, Calcutta or the place from where cotton is purchased. Further, the difference cannot be fixed because in many cases larger quantities attract lower freight rates.

Purchase of surplus cotton by Government and its effect on prices

7901. SHRI N. K. SANGHI : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the decision of Government to buy surplus indigenous cotton has created any healthy impact on the price of cotton;

(b) if so, the total quantum of indigenous cotton purchased by Government since the issuance of the order; and

(c) what has been the trend of prices since the Government purchase operations started ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c). During the cotton year 1971-72, prices of cotton were on the decline. In order to provide support to the cotton growers and to impart stability in cotton market Cotton Corportation of India was asked to purchase cotton. The Corporation entered the market early in December, 1971. Later, fair purchase prices were determined and indicated to the Corporation and from the third week of April, the Corporation has purchased about 2½ lakh bales of cotton valued at about Rs. 32,21 crores. Corporation's purchase operations have had a stabilising effect.

Grant of Flood Advances to Class III and IV Employees of Izatnagar (North Eastern Railway)

7902. SHRI S. M. BANERJEE: Will the Minister of RAILWAYS be pleased to state :

(a) whether Flood advance have not been given to Class III and IV employees at Izatnagar, North Eastern Railway despite clear orders;

(b) if so, the reasons therefor; and

(c) whether instructions have since been issued ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) to (c). Flood advance has been granted to Class III and Class IV employees at Izatnagar, North Eastern Railway to the extent of available funds.

Export of Cashewnuts during current year

7903. SHRI G. Y. KRISHNAN : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the estimated amount of cashewnut proposed to be exported during the current year, country-wise; and

(b) the amount of foreign exchange likely to be earned thereby ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). Estimates of countrywise exports of cashewnut for 1972-73 have not been formulated. During 1971-72 60,834 tonnes of cashewnut worth Rs. 61·73 crore were exported to various countries as shown in the attached statement.

Statement

COUNTRY-WISE EXPORTS OF CASHEW KERNELS DURING 1971–72

Sl. No.	Country	Quantity Tonnes	Value Rs. '000
1.	Australia	1234	13,440
2.	Bahrain Island	102	1,053
3.	Belgium	168	1,069
4.	Bulgaria	99	1,095
5.	Canada	3890	41,922
6.	Czechoslovakia	700	7,112
7.	France	203	1,910
8.	German Democratic Republic	1070	7,669
9.	German Federal Republic	474	3,652
10.	Hong Kong	879	9,719
11.	Hungary	31	339
12.	Italy	77	590
13.	Iran	119	1,460
14.	Jamaica	25	292
15.	Japan	1401	15,599
16.	Jordan	18	156
17.	Kuwait	97	1,114
18.	Lebanon	142	1,420
19.	Malaysia	22	221
20.	Netherlands	947	9,355
21.	New Zealand	79	830
22.	Poland	137	1,340
23.	Rumania	99	986
24.	Saudi Arabia	3	36
25.	Singapore	375	3 920
26.	Spain	32	184
27.	Sweden	15	130
28.	Switzerland	23	269
29.	United Kingdom	1844	17,044
30.	U. S. A.	27198	287,985
31.	U. S. S. R.	18993	181,534
32.	Yugoslavia	293	3,336
33.	Syria	18	185
34.	Iraq	5	61
	Total including other countries	60834	617,323

New Policy regarding import of films

7904. SHRI G. Y KRISHNAN: Will the Minister of FOREIGN TRADE be pleased to state the reaction of film industry at home and abroad to Government's policy regarding import of films for exhibition in India ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE): Arrangement for implementation of Government Policy of import of feature film through a public sector undertaking are being worked out. As such it is early to give reaction of film Industry at home and abroad.

रेलवे स्टेशनों पर बुक स्टाल खोलने का ठेका

7905. **श्री जगन्नाथ राव जोशी :**
श्री परिपूर्णानन्द पैन्यूली .

क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) रेलवे स्टेशनो पर बुक स्टाल चलाने के लिए जिन ठेकेदारो को ठेके दिये गये है उनके नाम क्या हैं,

(ख) क्या सरकार को उनके विरुद्ध कोई शिकायते मिली हैं, और

(ग) यदि हा, तो उसका सार क्या है तथा उन पर क्या कार्यवाही की गई है ?

रेल मंत्री (श्री के० हनुमन्तैया) (क) से (ग) एक विवरण सलग्न है, जिसमे अपेक्षित सूचना दी गई है। [ग्रथालय मे रखा गया। देखिये सख्या LT—3110/72].

रेलवे स्टेशनों पर नए बुक-स्टाल खोलना

7906 **श्री जगन्नाथ राव जोशी ·**
श्री परिपूर्णानन्द पैन्यूली

क्या रेल मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या थोडी पूजी वाले ठेकेदारो अथवा सहकारी समितियो को रेलवे स्टेशनो पर बुक स्टाल खोलने का ठेका देने के बारे मे कोई प्रस्ताव सरकार के विचाराधीन है, और

(ख) यदि हा, तो उसकी रूपरेखा क्या है ?

रेल मंत्री (श्री के० हनुमन्तैया) (क) और (ख) रेलो द्वारा आवेदन-पत्र मागे जाने पर, अन्य लोगो के साथ-साथ, यदि सहकारी समितिया/छोटे ठेकेदार भी अपने आवेदन-पत्र भेजते हैं, तो ऐसी सहकारी समितियो और छोटे ठेकेदारों को बुक-स्टाल ठेको का आवेदन करने के प्रश्न पर गुणावगुणो के आधार पर विचार किया जाता है।

फूलपुर निर्वाचन क्षेत्र के लिए ग्रामीण विद्युतीकरण योजना

7907. **श्री विश्वनाथ प्रताप सिंह** क्या **सिंचाई और विद्युत** मत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश सरकार ने फूलपुर ससदीय क्षेत्र के लिए 16 लाख रुपये की एक ग्रामीण विद्युतीकरण योजना केन्द्र सरकार को भेजी थी, और

(ख) यदि हा, तो इस सम्बन्ध मे केन्द्र सरकार ने क्या निर्णय किया है ?

सिंचाई और विद्युत मत्रालय मे उपमत्री (श्री बैजनाथ कुरील) (क) और (ख). ग्राम विद्युतीकरण निगम, जिसकी स्थापना केन्द्रीय सेक्टर मे 1969 मे की गई थी, राज्य बिजली बोर्डों की ग्राम विद्युतीकरण स्कीमो के कार्यान्वयन के लिए योगात्मक धन देता है। निगम ने इलाहाबाद जिले के फूलपुर और बहादुरपुर खण्डो मे 96 ग्रामो, 426 पम्पसेटो के विद्युतीकरण और 109 लघु और कृषि उद्योगो की विद्युत सप्लाई करने के लिए उत्तर प्रदेश राज्य बिजली बोर्ड की एक स्कीम स्वीकृत की है। स्कीम मे 47 11 लाख रुपये की ऋण सहायता परिकल्पित की है। ग्राम विद्युतीकरण निगम के पास इस समय फूलपुर खण्ड की कोई अन्य स्कीम विचाराधीन नही है।

गोडवा ग्राम मे एक नाले के तटबन्ध का निर्माण

7908. **श्री विश्वनाथ प्रताप सिंह** क्या **सिंचाई और विद्युत** मत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने फूलपुर संसदीय क्षेत्र मे तहसील हडिया के गोडवा ग्राम

में एक नाले का तटबन्ध बनाने की कोई योजना बनाई थी;

(ख) यदि हां, तो इस योजना के सम्बन्ध में अब तक कितनी प्रगति हुई है; और

(ग) योजना को शीघ्र क्रियान्वित करने के लिए सरकार क्या कार्यवाही कर रही है ?

सिंचाई और विद्युत मंत्रालय में उपमंत्री (श्री बैजनाथ कुरील) : (क) से (ग) . केन्द्र ने ऐसी कोई स्कीम शुरू करने का प्रस्ताव नहीं किया था । बहरहाल 1965 में, उत्तर प्रदेश की राज्य सरकार ने केन्द्रीय सिंचाई और विद्युत मंत्री के सुझाव पर भू-कटाव रोधी उपाय के रूप में हण्डिया तहसील में मुदारी नाले पर एक रोक बांध के निर्माण की एक स्कीम का प्रस्ताव रखा था । परन्तु इसके बाद जब 11·65 लाख रुपये की अनुमानित लागत पर विस्तृत स्कीम तैयार की गई थी तब राज्य सरकार का यह विचार था कि केवल 80 हेक्टेयर क्षेत्र को लाभ पहुँचाने के लिए लागत बहुत अधिक है और इसलिए इसे कार्यान्वयन के लिए शुरू नही किया गया था । वैकल्पिक रूप में, राज्य सरकार भू-कटाव को कम करने के लिए नाले के बाह्यक्षेत्र में भू-संरक्षण उपाय कर रही है ।

Shifting of Headquarters Offices of various Railways to different places

7909. SHRI NAWAL KISHORE SHARMA : Will the Minister of RAILWAYS be pleased to state :

(a) whether there is any proposal under the consideration of Government to shift the offices ot various Railway Headquarters from their present locations;

(b) if so, the gist thereof and the reasons for shifting; and

(c) the time by which the shifting will be completed ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) No.

(b) and (c). Do not arise.

Steps to Provide Water to Rajasthan Canal Round the Year

7910. SHRI NAWAL KISHORE SHARMA : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether Rajasthan Canal is not getting full water from the dams resulting in damage to crops in Rajasthan;

(b) if so, the reasons therefor; and

(c) the steps being taken by Government to provide water to the canal round the year instead of in certain seasons only ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) to (c). Rajasthan Canal would get regular perennial supplies on completion of Pong Dam the construction of which is still in progress. However, till then the share of Rajasthan in the waters of the rivers, Ravi and Beas depends upon the river flows which vary from time to time and supplies to Rajasthan are being given accordingly. The distribution of this share within the State between Rajasthan Canal and the Gang Canal is, however, done by Rajasthan Government, as considered appropriate. At present indents of Rajasthan Canal are being met in full.

दक्षिण रेलवे में माल की चोरी

7911. श्री हुकम चन्द कछवाय :
श्रीमती भार्गवी तनकप्पन :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गत दो वर्षों के दौरान दक्षिण रेलवे में कितने माल की चोरी हुई;

(ख) इस बारे में कितने मामले रजिस्टर

किए गये और कितना माल बरामद किया गया; और

(ग) कितने मामले इस समय न्यायालय मे विचाराधीन है ?

रेल मंत्री (श्री के० हनुमन्तैया) .

(क)	वर्ष	दक्षिण रेलवे मे चुरायी गई रेल सम्पत्ति का मूल्य	
	1970	1,73,904	रुपये
	1971	1,74,936	रुपये

(ख)	वर्ष	पजीकृत मामलो की सख्या	बरामद की गई सम्पत्ति का मूल्य	
	1970	607	50,051	रुपये
	1971	955	34,300	रुपये

(ग) 1970 का एक मामला और 1971 के 11 मामले इस समय न्यायालय के विचाराधीन है ।

पूर्व रेलवे मे जंजीर खींचकर रेलगाड़ी रोकने की घटनायें

7912. **श्री हुकम चन्द कछवाय** क्या रेल मत्री यह बताने की कृपा करेंगे कि :

(क) पहली जनवरी, 1971 के पश्चात् पूर्वी रेलवे मे जंजीर खीच कर गाडी रोकने की कितनी घटनाये हुई, और

(ख) कितने मामलो मे जजीर खीचना उचित था तथा कितने मामलो मे जजीर खीचना अनुचित था ?

रेल मंत्री (श्री के० हनुमन्तैया): (क) और (ख). पहली जनवरी, 1971 से 31 मार्च, 1972 तक की अवधि मे पूर्व रेलवे पर खतरे की जंजीर खींचने की 78,220 घटनाएं हुई जिनमे से 445 घटनाएँ न्यायसगत थी और 77,775 घटनाएँ न्यायसगत नही थी ।

भारत-पाकिस्तान में हुए गत युद्ध के कारण भारतीय रेलों की हानि

7913 **श्री हुकम चन्द कछवाय** . क्या रेल मंत्री यह बताने की कृपा करेंगे कि हाल मे हुए भारत-पाक युद्ध के कारण भारतीय रेलो की अनुमानत कितनी हानि हुई ?

रेल मंत्री (श्री के० हनुमन्तैया) लगभग 7 59 रुपये । विभिन्न शीर्षको के अन्तर्गत जो रकम खर्च हुई, उसका ब्यौरा नीचे दिया गया है —

(i)	इमारत	2 94 लाख रुपये
(ii)	रेलपथ	1 04 लाख रुपये
(iii)	पुल	3 30 लाख रुपये
(iv)	विद्युत प्रतिष्ठान और दूर-संचार उपस्कर	0 31 लाख रुपये

मध्य रेलवे में कर्मचारियों को स्थायी किया जाना

7914. **श्री हुकम चन्द कछवाय** क्या रेल मत्री यह बताने की कृपा करेंगे कि :

(क) इस समय मध्य रेलवे मे कितने कर्मचारी स्थायी हैं तथा कितने अस्थायी हैं,

(ख) कितने अस्थायी कर्मचारी पाँच वर्ष से अधिक समय से कार्य कर रहे है, और

(ग) इन कर्मचारियो को स्थायी करने के लिए सरकार का क्या कार्यवाही करने का प्रस्ताव है ?

रेल मंत्री (श्री के० हनुमन्तैया) :

(क) स्थायी : 1,54,291
अस्थायी : 25,254

(ख) 3,997

(ग) जहां औचित्य है वहां अस्थायी पदों को स्थायी बनाने और उन पर पात्र कर्मचारियों को स्थायी करने के लिए रेल प्रशासन द्वारा एक विशेष अभियान चलाया गया है।

Construction of Reservoirs and Check-Dams in Drought Prone Areas

7915. SHRI P. NARASIMHA REDDY : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether Government recognise the need for constructing and restoring at all suitable points in drought-prone areas reservoirs and check-dams irrespective of their direct irrigation-benefit;

(b) whether Government are aware that in many States such works are not taken up unless they yield a certain percentage of direct revenue; and

(c) the steps proposed to remedy the situation ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) to (c). The Ministry of Agriculture who are concerned with the subject have reported that the minor irrigation schemes sanctioned under the Drought-Prone Areas Programme include schemes like reservoirs and diversion weirs which have direct irrigation benefits as well as check dams which only recharge the ground water and these schemes have been given the highest priority. Many of the State Governments like Maharashtra, Gujarat, Andhra Pradesh and Orissa have already relaxed the criteria for such minor irrigation schemes in the drought prone areas. In the case of medium irrigation projects, only benefit cost ratio is taken into account and not the percentage of direct revenue.

Export of Sugar Mill Machinery

7916. SHRI M. S. SIVASAMY : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government are exporting sugar mill machinery and power station equipment to some other countries;

(b) if so, the names of the countries to which the machinery and the equipment are exported; and

(c) the approximate value of the machinery exported during the last three years and the foreign exchange earned thereby ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Government do not undertake any export. However, both public and private sector undertakings are exporting sugar mill machinery and power station equipments.

(b) Major countries to which exports have been made during the last three years are :

1. *Sugar Mill Machinery*

   Burma, Ceylon, Kenya, Liberia, Nigeria, Sudan & Uganda.

2. *Power Station Equipment*

   Australia, Ceylon, Iraq, Malaysia, Kuwait, Sudan, West Germany, Thailand, Arab Republic of Egypt and U. K.

(c) Value of exports during the last three years have been :

(Value in Rs. lakhs)

	1968–69	1969–70	1970–71
Sugar Mill Machinery	24·35	29·31	17·64
Power Station Equipments	113·89	249·09	319·34

Halt/Railway Station near Kalikivaya-Batragunta between Tanguture and Singarayakonda Railway Stations (South Central Railway)

7917. SHRI P. V. REDDY : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have received representations to set up a new railway station or a Halt Station near "Kalikivaya-Bitragunta" between Tanguture and Singarayakonda Railway Stations on Vijayawada-Madras Section; and

(b) if so, the action taken thereon ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) The proposal has been examined but found not financially justified.

Construction of an under/over Bridge at Railway Level Crossing of Kavali-Udayagiri Road (South Central Railway)

7918. SHRI P. V. REDDY : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government have received representations from the Municipal Council of Kavali in Nellore District of Andhra Pradesh for the construction of an under or over bridge at the railway level crossing of Kavali-Udayagiri road; and

(b) if so, the action taken thereon ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) The proposals for construction of road over/under bridges in replacement of existing busy level crossings are to be sponsored by the State Government/Road Authority together with an undertaking to bear their share of cost. Further action can be taken only after such a proposal is sponsored by the State Government.

Gandipalem Project in Nellore District (Andhra Pradesh)

7919. SHRI P. V. REDDY : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether the Government of Andhra Pradesh had long time ago submitted proposals regarding Gandipalem Project in Nellore District to the Central Government for approval;

(b) if so, the estimated cost of the scheme and the acreage of land likely to be irrigated; and

(c) the stage at which the matter stands now ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B N. KURLEL) : (a) to (c). The Gandipalam project was approved in December, 1966, at a cost of Rs. 97 lakhs, to irrigate 10,000 acres. Work on the scheme has been started in 1971-72 by the State Government.

Change of Initial Ages by Judges of Allahabad, Patna and Calcutta High Courts after Elevation to the Bench

7920. SHRI S. N. MISRA : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the number of the Judges of the Allahabad, Patna and Calcutta High Courts who are still serving and who have changed their initial age after elevation to the Bench;

(b) the age given earlier and changed date of birth now in respect of each such judges;

(c) whether any enquiry was made before the change of age was allowed; and

(d) the cases in which requests for change of age have been refused ?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND

CHEMICALS (SHRI H. R. GOKHALE) : (a) None Sir.

(b) to (d). Do not arise.

Service conditions of First Class Coach Attendants on Railways

7921. SHRI S. N. MISRA : Will the Minister of RAILWAYS be pleased to state :

(a) whether the service conditions of the Coach Attendants in the first class on the Railways have been formulated; and

(b) if so, the broad outlines thereof ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) and (b). The category of First Class Coach Attendants on Indian Railways has been allotted the authorised scale of pay of Rs. 75-89. Other service conditions of First Class Coach Attendants in the matter of leave, retirement benefits, grant of allowances, like House Rent Allowance, City Compensatory Allowance, Dearness Allowance and Travelling Allowance etc. are regulated under the same set of rules and orders as are applicable to other Railway staff.

Incidents of Ticketless Travelling in Allahabad, Gorakhpur and Lucknow Divisions

7922. SHRI S. N. MISRA : Will the Minister of RAILWAYS be pleased to state :

(a) the number of incidents of ticketless travelling in Allahabad, Gorakhpur and Lucknow Divisions during the last three years;

(b) the revenue realised from the ticketless travellers quarterly during the period; and

(c) the window sales of tickets in the aforesaid divisions, quarterly, during the period ?

THE MINISTER OF RAILWAYS (SHKI K. HANUMANTHAIYA): (a) The number of incidents of ticketless travelling during three years from 1969-70 to 1971-72 are as under :

Allahabad Division	73,443
Lucknow Division (Northern Railway)	87,825
Lucknow Division (North Eastern Railway)	1,31,006

There is no separate Gorakhpur Division. Gorakhpur is a part of Lucknow Division of the North Eastern Railway.

(b) and (c). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT—3111/72.]

Punctual Running of Trains on Northern and North Eastern Railway

7923. SHRI S. N. MISRA : Will the Minister of RAILWAYS be pleased to state :

(a) the steps taken by his Ministry to ensure punctual running of trains on Northern and North-Eastern Railways; and

(b) the actual loss of running hours in the last financial year on account of such late running of trains in terms of money ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Punctuality performance of trains on all Indian Railways including Northern and North Eastern Railways is closely watched by the Railway Administration. Avoidable detentions are promptly investigated and suitable remedial or punitive action is taken.

(b) No accountal is maintained of actual loss of running hours in terms of money.

Total Acreage of Irrigated Area in Country

7924. SHRI SAT PAL KAPUR : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) the total acreage of irrigated area in the country at present, State-wise through Government sources; and

(b) the steps proposed to be taken to bring more land under irrigation and the target proposed to be achieved by the end of the Fourth Plan ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B N KUREEL) : (a) The irrigation potential provided from major and medium irrigation projects undertaken by the State Governments is assessed as 19 5 million hectares by March, 1972. State-wise break-up is given in the attached statement.

(b) Irrigation is one of the important sectors of the national developmental plans and the outlay during the Fourth Plan on major and medium irrigation projects is expected to be about Rs 1175 crores The potential from these schemes is expected to rise to 22 1 million hectares by the end of the Fourth Plan.

Statement

States	Irrigation potential in million hectares from major and medium schemes by March, 1972.
Andhra Pradesh	2575
Assam	98
Bihar	1748
Gujarat	559
Haryana	965
Himachal Pradesh	—
Jammu & Kashmir	66
Kerala	343
Madhya Pradesh	955
Maharashtra	731
Mysore	837
Nagaland	—
Orissa	1236
Punjab	2434
Rajasthan	1131
Tamil Nadu	1375
Uttar Pradesh	3204
West Bengal	1243
Union Territories	—
Total :	19500

मध्य प्रदेश और उत्तर प्रदेश का आयातित रुई का आवंटन

7925. **श्री गंगा चरण दीक्षित :**
श्री हरी सिंह

क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि

(क) गत तीन वर्षों के दौरान कितनी रुई का आयात किया गया, और

(ख) उक्त समय मे मध्य प्रदेश और उत्तर प्रदेश को कितनी रुई का आबटन किया गया ?

विदेश व्यापार मंत्रालय मे उप-मंत्री (श्री ए० सी० जार्ज)

(क) (मात्रा लाख गाठो मे)
(रुई वर्ष सितम्बर-अगस्त)

1968-69	1969-70	1970-71
4 29	9 03	8·52

(ख) मध्य प्रदेश तथा उत्तर प्रदेश मे स्थित मिलो को किया गया आयातित रुई का आवटन निम्नोक्त प्रकार था —

राज्य	1968-69	1969-70	1970-71
मध्य प्रदेश	3,870 गाठे	14,973 गाठें	9,210 गाठे
उत्तर प्रदेश	6,013 गाठे	17,959 गाठें	11,639 गाठे

मध्य प्रदेश से निर्यात

7926. **श्री गंगा चरण दीक्षित** . क्या **विदेश व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1970-71 और 1971-72 मे अब तक मध्य प्रदेश से अन्य देशो को निर्यात

की गई वस्तुओं की मात्रा कितनी है और उसका मूल्य कितना है; और

(ख) कुल निर्यात की वस्तु-वार प्रतिशतता क्या है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) और (ख). राज्य-वार आकडे प्राप्य नही है।

आमों और केलों का निर्यात

7927. **श्री गंगा चरण दीक्षित** : क्या विदेश व्यापार मन्त्री यह बताने की कृपा करेंगे कि :

(क) भारत ने वर्ष 1970-71 और 1 अप्रैल, 1971 से 1 अक्तूबर, 1971 तक कितने आमों और केलों का निर्यात किया था; और

(ख) इससे कितनी विदेशी मुद्रा अर्जित की गई थी ?

विदेश व्यापार मन्त्रालय में उप-मन्त्री (श्री ए० सी० जार्ज) . (क) और (ख). निर्यात आंकड़े निम्नोक्त प्रकार है —

(मात्रा मे० टन मे)
(मूल्य लाख रुपये मे)

	1970-71		1 अप्रैल, 1971 से 30 सितम्बर, 1971 तक	
	मात्रा	मूल्य	मात्रा	मूल्य
आम	1290	27·74	1233	24 28
केले	7954	37·45	1265	5 88

वर्ष 1971-72 के दौरान बिहार में गिरफ्तार किए गए बिना टिकट यात्री

7928. **श्री शंकर दयाल सिंह** . क्या रेल मन्त्री यह बताने की कृपा करेंगे कि .

(अ) वर्ष 1971-72 के दौरान बिहार मे कितने यात्री बिना टिकट यात्रा करने के अपराध मे गिरफ्तार किये गये;

(ख) रेलवे प्रशासन को इनसे जुर्माने के रूप मे कितनी राशि प्राप्त हुई;

(ग) क्या बिना टिकट यात्रा रोकने के अभियान अवधि के दौरान रेल कर्मचारियों और यात्रियो के बीच कुछ झगड़े भी हुये थे; और

(घ) रेल कर्मचारियों की सुरक्षा के लिये सरकार ने क्या प्रबन्ध किये हैं ?

रेल मंत्री (श्री के० हनुमन्तैया) · (क) से (घ). सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी।

अभ्रक का निर्यात

7929. **श्री शंकर दयाल सिंह** · क्या विदेश व्यापार मत्री यह बताने की कृपा करेंगे कि

(क) अभ्रक उद्योग का निर्यात अपने हाथ मे लेने के बाद सरकार ने अभ्रक का कितना निर्यात किया,

(ख) पिछले वर्ष किन-किन देशों को कुल कितने मूल्य का अभ्रक निर्यात किया गया; और

(ग) इस समय सरकार के पास विदेशो से प्राप्त अभ्रक आर्डरो का ब्यौरा क्या है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) (क) खनिज तथा धातु

व्यापार निगम ने 24 जनवरी, 1972 से, जबकि अभ्रक के निर्यात का मार्गीकरण किया गया था, 22 मई, 1972 तक 78 06 लाख रुपये मूल्य के 747 7 मे० टन अभ्रक का निर्यात किया है।

(ख) एक विवरण सभा पटल पर रखा है। [ग्रन्थालय में रखा गया। देखिये संख्या LT 3112/72.]

(ग) 13 मई, 1972 तक खनिज तथा धातु व्यापार निगम को अभ्रक के लिए 5 9 करोड रुपये मूल्य के ऋण देशप्राप्त हुये थे।

Takeover of M/s Hindustan Embroidery Mills, Chheharta (Punjab)

7930 SHRI B S BHAURA Will the Minister of FOREIGN TRADE be pleased to state

(a) whether Government have recently received any communication from Punjab Government to take over M/s Hindustan Embroidery Mills, Chheharta, and if so, the action taken thereon, and

(b) whether Government had asked Punjab Government to conduct survey of the Mills by April, 1972, and if so, the action taken by Punjab Government ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) (a) Yes, Sir The survey team of the Textile Commissioner's Office has been asked to conduct technical and financial survey of this mill and the question of taking over its management will be considered on receipt of the report.

(b) No, Sir

परेल (बम्बई) स्थित पुराने वर्कशाप का इटारसी (मध्य रेलवे) को स्थानान्तरण

7931 **श्री फूलचन्द वर्मा** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या बम्बई के परेल स्थित मध्य रेलवे के पुराने वर्कशाप को इटारसी स्थानान्तरित करने के प्रश्न की जाँच करने के लिये एक अध्ययन दल नियुक्त किया गया है, और

(ख) यदि हाँ, तो अध्ययन दल के निष्कर्ष क्या हैं ?

रेल मंत्री (श्री के० हनुमन्तैया) (क) जी नही।

(ख) प्रश्न नही उठता।

उज्जैन-आगर छोटी लाइन को मीटर गेज लाइन में बदलना

7932 **श्री फूलचन्द वर्मा** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उज्जैन–आगर छोटी रेल लाइन को मीटर लाइन मे बदलने के बारे मे सरकार गम्भीरता पूर्वक विचार कर रही है, और

(ख) यदि हाँ, तो इस बारे मे क्या कार्यवाही करने का विचार है ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) नही।

(ख) प्रश्न नही उठता।

पूर्वोत्तर रेलवे द्वारा लाया तथा ले जाया गया माल तथा उससे अर्जित आय

7933 **श्री फूलचन्द वर्मा :**
श्री हुकम चन्द कछवाय :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे द्वारा गत दो वर्षों मे कितने मूल्य का माल लाया तथा ले जाया गया, और

(ख) उससे अर्जित आय के बारे मे मुख्य बातें क्या हैं ?

रेल मंत्री श्री (के० हनुमन्तैया) : (क) और (ख). रेलों के पास ढोये गये माल यातायात की मात्रा और उससे प्राप्त आमदनी के आंकड़े उपलब्ध हैं लेकिन उनके मूल्य के बारे में आंकड़े नहीं रखे जाते। 1970-71 और 1971-72 मे पूर्वोत्तर रेलवे द्वारा ढोये गये माल यातायात और उससे प्राप्त आमदनी के आंकड़े नीचे दिये हैं:—

	1970-71	1971-72
(1) कितना मीटरिक टन माल ढोया गया (दस लाख मे)		
(i) राजस्व उपार्जक	12·06	10·60
(ii) अनुपार्जक यातायात	2·94	3·19
(iii) जोड़	15·00	13·79
(2) राजस्व उपार्जकमाल यातायात से प्राप्त आमदनी (करोड़ रुपयों में)	21·94	22·75

Steps to meet Foreign Orders for Cutting Diamonds

7934. SHRI C. K. CHANDRAPPAN: Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether India has got big orders from abroad for cutting diamonds and she is not in a position to execute all the orders;

(b) if so, whether Government propose to set up new factories to cut diamonds; and

(c) if so, the broad outline thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE): (a) There is considerable demand from overseas for cut and polished diamonds from India. The problem is not one of cutting and polishing but of availability of raw material of requisite quality and development of appropriate techniques to meet the specialized demands from different countries.

(b) There is no proposal to set up a factory in public sector.

(c) Does not arise.

Queue System at Ticket Counters (Southern Railway)

7935. SHRI M. KALYANASUNDARAM : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Southern Railway officials held a meeting recently to discuss methods to enforce queue system at the Ticket Counters;

(b) if so, the decisions taken at the meeting; and

(c) how far it is now being implemented ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) and (c). The following arrangements have been made at Madras Central station for reservation of seats and of berths

(i) The number of reservation and booking counters for Upper and Third classes has been increased.

(ii) Additional staff have been posted temporarily for the summer rush.

(iii) Two information booths manned by Ticket Checking staff have been provided to guide the passengers.

(iv) Upper class counters for booking and reservation have been combined so that reservation and booking is done at the same counter resulting in reducing the waiting time of the passenger at the counter.

(v) Tokens are issued to genuine passengers in the queue outside the reservation office so that they do not lose their position in the queue when the actual booking starts.

(vi) Commencing from 3.5.1972, an officer with a posse of Inspectors and Rakshaks is drafted for duty daily from 04·00 hrs. to 11·00 hrs. to prevent unauthorised persons having access to the booking office for purchase of tickets outside the queue, check the work done by the Booking Clerks and to attend to complaints from passengers standing in the queue.

(vii) Roadside and intermediate station quotas for reservation of berths have been reviewed and revised to provide for more accommodation to the originating passengers.

Reservation of Berths at Madras Station

7936. SHRI S. A. MURUGANANTHAM : Will the Minister of RAILWAYS be pleased to state :

(a) whether new arrangements for reservation of seats and berths have been made at the Madras Central Station to cater to the needs of the passengers; and

(b) if so, the broad outlines thereof ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) The new arrangements made at Madras Central station for reservation of berths are broadly as under—

(i) The number of reservation and booking counters for Upper and Third classes has been increased,

(ii) Additional staff have been posted temporarily for the summer rush.

(iii) Two information booths manned by ticket Checking staff have been provided to guide the passengers.

(iv) Uper class counters for booking and reservation have been combined so that reservation and booking is done at the same counter resulting in reducing the waiting time of the passengers at the counter.

(v) Tokens are issued to genuine passengers in the queue outside the reservation office so that they do not lose their position in the queue when the actual booking starts.

(vi) Commencing from 3-5-72, an officer with a posse of Inspectors and Rakshaks is drafted for duty daily from 04·00 hrs. to 11·00 hrs. to prevent unauthorised persons having access to the booking office for purchase of tickets outside the queue, check the work done by the Booking Clerks and to attend to complaints from passengers standing in the queue.

(vii) Roadside and intermediate station quotas for reservation of berths have been reviewed and revised to provide for more accommodation to the originating passengers.

India to Build Three Power Units in Kenya

7937. SHRI P. M. MEHTA · Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether India has offered to build three power units in Kenya; and

(b) if so, the time by which the Kenya Project will be completed ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL): (a) and (b). Yes. The work of design, engineering, supply, erection and commissioning of 132 kV,

33 kv. and 11 kv, switchgear, control panels and ancilliaries at three snbstations at Juja Road, Kindaruma and Kamburu under the Kamburu Hydro-Electric Project, has been undertaken by the Indian Consortium for Power Projects, a Public Sector Enterprise under the Ministry of Industrial Development. The commissioning of one circuit at Juja Road is to be completed by September, 1973 and the rest of the works by January, 1974.

Effect on Trade with Far East Countries as a result of stand taken by Indonesia, Malaysia and Singapore
Re. **Malacca Straits**

7938. SHRI RAJDEO SINGH: Will the Minister of FOREIGN TRADBE be pleased to state the effect on India's foreign trade with Far East Countries as a result of the stand taken by Indonesia, Malaysia and Singapore regarding Malacca Straits ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : India's foreign trade with the countries in the Far East is not likely to be affected by the stand taken by Malaysia, Singapore and Indonesia regarding Malacca Straits.

Production of 2600 H P. Engines by Diesel Locomotive Work, Varanasi

7939. SHRI RAJDEO SINGH : Will the Minister of RAILWAYS be pleased to state :

(a) whether Diesel Locomotive Works, Varanasi has undertaken the production of 2600 H.P. Engines as prime movers for stand by power generating sets;

(b) if so, whether this switch-over is for export or to meet the domestic demand;

(c) whether this swith-over will not adversely affect the production of Diesel Locomotives; and

(d) whether this workshop has received any advance orders and if so, the value of the orders and from whom received ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) Domestic demand.

(c) No.

(d) Orders for two sets of Diesel Generating Sets for Madras Atomic Power Project have been received by the Diesel Locomotive Works from Bhabha Atomic Research Centre, the total estimated value of which is about Rs. 40 lakhs.

Jute Inquiry Committee

7940. SHRI JYOTIRMOY BOSU : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether his Ministry has received a copy of the report submitted by the Jute Enquiry Commttee which was set up by the United Front Government in West Bengal in 1969; and

(b) if so, the main findings and recommendations made therein ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). The Jute Inquiry Commission set up by the West Bengal Government in 1969 had submitted an interim report to the State Government who had decided not to publish the report as most of the terms of reference to the commission were found to be outside the jurisidiction of that Government. In view of this, the points raised with regand to its main findings and recommendations do not arise. The State Government did not extend the tenure of the Commission.

Duty Hours of Guards and Drivers of Goods Trains

7941. SHRI JYOTIRMOY BOSU . Will the Minister of RAILWAYS be pleased to state :

(a) the total number of goods trains Guards and Drivers in each Railway;

(b) the details about their duty hours;

(c) whether Government have received complaints that most of these employees are

forced to over-work, infringing 'Hours of employment regulations'; and

(d) if so, Government's reaction thereto ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) and (b). The information is being collected and will be laid on the Table of Sabha.

Ambitious Progamme to enter Jute Market

7942. SHRI JYOTIRMOY BOSU : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government have an ambitious programme to enter into the primary jute markets in a big way; and

(b) if so, the main features thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). Jute purchase operations will be conducted by the Jute Corporation of India. In 1972-73, the Corporation is expected to make purchases to the extent of about 6 lakh bales on price support, commercial account and buffer stock operations. One departmental purchase centre is being opened in each jute growing district for effecting purchases directly from the growers and in other markets purchases will be made through viable co-operative societies wherever available and private agents under the discipline of the Corporation. The Corporation will have a Regional office in the 5 States to supervise these operations. Necessary warehousing arrangements are being made in consultation with Central and State Warehousing Corporations.

मध्य प्रदेश में रेल लाइनों का बिछाया जाने का कार्य

7943. **डा० लक्ष्मीनारायण पांडेय** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में किन-किन सैक्शनों/मार्गों पर नई रेल लाइनें बिछाने के लिए सर्वेक्षण किया गया है;

(ख) किन-किन रेल मार्गों पर दुहरी लाइनें बिछाने का काम चल रहा है; और

(ग) किन-किन मार्गों पर नई रेल लाइनें बिछाने का काम चल रहा है ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) से (ग). रेल सम्बन्धी मामलों के बारे में कोई सूचना अलग-अलग राज्यों के आधार पर नहीं बल्कि अलग-अलग रेलों के आधार पर संकलित की जाती है। सर्वेक्षणों का ब्यौरा भारतीय रेलों पर रेलवे बोर्ड की रिपोर्ट में दिया गया है जिसकी प्रतियां संसद के पुस्तकालय में उपलब्ध हैं। चालू निर्माण कार्यों का ब्यौरा (नई लाइनें और दोहरी लाइन बिछाना) 1972-73 के बजट प्रलेखों में दिया गया है।

Setting up of 'Special' Cell in West Bengal to develop Trade with Bangladesh

7944. SHRI SAMAR GUHA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government are aware that the West Bengal Government have set up a trade-sponsoring authority with a special cell to develop trade between West Bengal and Bangladesh;

(b) if so, the reaction of the Central Government thereto;

(c) whether State Trading Corporation and Minerals and Metals Trading Corporation propose to extend necessary assistance to this West Bengal 'Cell'; and

(d) whether West Bengal economy will receive special consideration by Central Government in planning for developing Indo-Bangladesh trade and if so, the measures taken in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) No such Authority has yet been set up.

(b) to (d). Do not arise.

चौथी योजना में 7 प्रतिशत लक्ष्य प्राप्त करने के लिए नीति

7945 **श्री मूलचन्द डागा** क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार का विचार चौथी योजना की अवधि मे 7 प्रतिशत वार्षिक चक्रवृद्धि दर से निर्यात के लक्ष्य प्राप्त करने के लिए नीति अपनाने का है,

(ख) क्या इन लक्ष्यो को प्राप्त करने के लिए सरकार ने बृहद् और लघु स्तर की इकाइयो का सहयोग माँगा है, और

(ग) यदि हाँ, तो किस प्रकार का सहयोग माँगा गया है ?

विदेश व्यापार मंत्रालय मे उपमंत्री (श्री ए० सी० जार्ज) (क) योजनागत लक्ष्यो को प्राप्त करने के लिए भरसक प्रयत्न किया जा रहा है।

(ख) और (ग) चतुर्थ योजना का निर्यात लक्ष्य प्राप्त करने के उद्देश्य से सरकार ने अर्थव्यवस्था के सभी क्षेत्रो का सहयोग माँगा है। इस नियोजन के लिए निर्यात सवर्धन परिषदो, भारतीय निर्यात सगठनो का परिसंघ, भारतीय विदेश व्यापार सस्थान, व्यापार विकास प्राधिकरण, व्यापार बोर्ड और व्यापार की सलाहकार परिषद आदि अनेक निर्यात संगठन स्थापित किये गये है। इन सगठनो का उद्देश्य देश के निर्यात प्रयास मे बडे तथा लघु दोनो प्रकार के निर्यात अभिमुख एककों का सक्रिय सहयोग प्राप्त करना है। किसी न किसी प्रकार इन संगठनो का मुख्य कार्य निर्यात व्यापार के विकास से सम्बन्धित समस्याओ को निपटाना और निर्यात अभिमुख उत्पादन के विकास तथा विस्तार और अपनी निर्यात विपणन व्यवस्था मे सुधार करने के सदर्भ मे सरकार को सिफारिशे करना है। औद्योगिक उत्पादो के निर्यातो के संबंध मे सहायता करने और प्रोत्साहन देने के प्रयोजनार्थ अनेक प्रकार की निर्यात सुविधाएँ प्रदान की गई हैं जिनमें मुख्यतः आयात प्रतिपूर्ति, क्षमता निरोधक तत्वो को हटाना, आयात उत्पादन शुल्क की वापसी आदि अन्य सामान्य तथा विशिष्ट सुविधाएं शामिल है। चालू वित्तीय वर्ष (1972-73) की आयात नीति के अन्तर्गत बडे तथा लघु दोनो प्रकार के चुने हुए प्राथमिकता प्राप्त उद्योगो के मामले मे अंतर्निविष्ट साधनो के अपेक्षाकृत अधिक आबंटन की परिकल्पना है, विशेषत उन उद्योगो के संबंध मे जो काफी मात्रा मे निर्यात करते है अथवा वर्तमान आयातो मे पर्याप्त कमी करने म जिनका अंशदान है। उन निर्यात सदनो को भी मुख्य स्थान दिया गया है जो लघु क्षेत्र मे विनिर्मित उत्पादों के निर्यात करते है।

संसदीय निर्वाचन क्षेत्र की सीमा में कमी

7946. **श्री मूलचन्द डागा** क्या **विधि और न्याय** मत्री यह बताने की कृपा करेंगे कि क्या सरकार का विचार जनसख्या मे वृद्धि तथा कुछ गाँवो से आबादी के हट कर शहरो मे आ जाने को ध्यान मे रखते हुए ससदीय क्षेत्र की सीमा को घटाने का है ?

विधि और न्याय तथा पेट्रोलियम और रसायन मत्री (श्री एच० आर० गोखले) सरकार उन बातो पर विचार कर रही है जो संसदीय निर्वाचन क्षेत्रो के आकार से सम्बन्धित है।

International Programme on Trade Policy and Export Promotion

7947 SHRI KRISHNA CHANDRA PANDEY Will the Minister of FOREIGN TRADE be pleased to State

(a) whether an International Programme on Trade Policy and Export Promotion was conducted by the Indian Institute of Foreign Trade and a number of representatives of several countries participated in it, and

(b) the decision taken there at and the follow-up action taken in this matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes, Sir.

(b) It was a training course. No. decision was required to be taken; nor is any follow-up action envisaged.

Export of Lathes

7948. SHRI KRISHNA CHANDRA PANDEY : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the lathes newly designed by M/s. Mysore Kirloskar Ltd., have a substantial demand in the world market;

(b) to which countries these lathes are being exported and at what price; and

(c) whether steps are being taken to increase the export of this item ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes, Sir.

(b) Exports are made to U S.A, Malaysia, Australia and New Zealand. Prices are negotiable depending upon the specifications, accessories etc. and also on destination.

(c) Yes, Sir. The Company assisted by the E. E. P. C. to take promotional steps in addition to general export promotional measures adopted for all engineering goods, the following steps are said to be taken specifically for this item by the firm.

1. Brand publicity through mass media and participation in trade fairs and exhibitions.

2. Prospective customers in foreign countries are contacted personally by the manufacturer's representatives.

Appointment of Scheduled Castes Signal Khalasis in Divisional Offices, Lucknow (Northern Railway)

7949. SHRI KRISHNA CHANDRA PANDEY : Will the Minister of RAILWAYS be pleased to state :

(a) whether in the appointment of signal Khalasis, the dificiency of Scheduled Castes quota is allowed to persist in the Divisional Superintendent's Office, Northern Railway, Lucknow;

(b) the total number of Signal Khalasis appointed during the last three years and the deficiency of Scheduled Castes in this category; and

(c) the steps being taken to make up the deficiency ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA): (a) to (c). During the last three years 158 Signal Khalasis have been appointed. There is a deficiency of 17 Scheduled Castes and a special screening of Scheduled Caste candidates only is being arranged to wipe out the deficiency.

उत्तर प्रदेश में ग्रामीण विद्युतीकरण

7950 **श्री हरी सिंह** : क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1971-72 में उत्तर प्रदेश मे कुल कितने गाँवों मे बिजली लगाई गई और ग्रामीण विद्युतीकरण योजना के अन्तर्गत वर्ष 1972-73 के दौरान कितने गाँवो को बिजली देने की योजना है; और

(ख) उक्त योजना के अन्तर्गत वर्ष 1972-73 मे मेरठ जिले में किन-किन गाँवों में बिजली देने की योजना है ?

सिंचाई और विद्युत मंत्रालय में उपमन्त्री (श्री बैजनाथ कुरील) : (क) उत्तर प्रदेश में 1971-72 के दौरान 3036 ग्राम विद्युतीकृत किए गए। उत्तर प्रदेश मे 1972-73 के दौरान 3000 ग्रामों में बिजली लगाने का कार्यक्रम है।

(ख) मेरठ जिले में 1972-73 के दौरान लगभग 100 ग्रामो में बिजली लगाने का प्रस्ताव है। इन ग्रामो के नामों को अभी अन्तिम रूप नहीं दिया गया है।

विदेशों के लिए रेलवे वैगन

7951. **श्री हरी सिंह** . क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विदेशों में भारतीय रेलवे वैगनो की माँग दिन प्रति दिन बढ़ रही है; और

(ख) यदि हाँ, तो गत वर्ष किन देशो को रेलवे वैगनों का निर्यात किया गया था तथा ऐसे किन देशों से रेलवे वैगनो के लिए क्रयादेश प्राप्त हुए थे जिन्हें अब तक इसकी सप्लाई नही की गई है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) रेल माल डिब्बों के लिए क्रयादेश प्राय: औद्योगिक दृष्टि से उन्नत देशो से प्रतियोगिता द्वारा विश्वव्यापी निविदाओ में भाग लेने से प्राप्त होते हैं। इस प्रकार के बहुत से क्रयादेशों को सफलतापूर्वक पूरा करने के फलस्वरूप भारत बढ़िया माल डिब्बों की पूर्तिकर्ता के रूप में प्रख्यात हो गया है।

(ख) 1971-72 के दौरान भारतीय रेलमाल डिब्बे घाना, हगरी, कीनिया, पोलैंड तथा सूडान को निर्यात किये गये। तिम्नलिखित सारणी में 1971-72 के दौरान प्राप्त क्रयादेशों की स्थिति और वास्तविक पूर्ति दिखाई गई है।

देश	क्रयादेशों का मूल्य (लाख रुपये मे)	1971-72 मे सुपुर्द किया जाने वाला माल (लाख रुपये मे)	1971-72 मे वास्तविक पूर्ति की गई (प्राक्कलित) (लाख रुपये मे)
पोलैंड	270·00	270·00	14·19
घाना	67 00	67 00	29·37
हंगरी	585 00	465 00	113·23
कीनिया	93 00	93·00	12 60
कीनिया	30·00	—	—
सूडान	95 55	95·55	37 17
	योग: 1140 55	99 55	206·56

Demand for Indian Cashewnuts

7952. SHRI PAMPAN GOWDA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the average amount of money being earned through the process of cashewnut exports to foreign countries during the last three years; and

(b) the number of foreign countries in which the demand of Indian cashewnuts is increasing ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C GEORGE) : (a) Exports of cashew kernels have averaged Rs. 57.06 crores per annum during the last 3 years viz, 1969-70, 1970-71, and 1971-72.

(b) In following 19 countries the demand for Indian cashewnuts has been noted to be on the increase :

Australia, Bahrain Island, Belgium, Czechoslovakia, Iraq, Canada, Hong Kong, Japan, Iran, Italy, Jamaica, Jordan, Singapore, Malayasia, Kuwait, Netherlands, Rumania, U. S. A. & U.S.S.R.

National Water Grid to provide Irrigation facilities to Drought Affected Areas

7953. SHRI ANNASAHEB GOTKHINDE : Will the Minister of IRRIGATION AND POWER be pleased to state whether the proposed intergated National Water Grid will also meet the irrigation needs of the choronically drought affected Districts of Maharashtra ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : Preliminary office studies carried out in the Central Water and power Commission show that some waters of the Ganga could be transferred by a combination of pumped and gravity canals, making use of natural water courses and existing or proposed reservoirs where ever practicable. The waters of the Ganga and surplus waters of other intermediate basins are proposed to be conveyed to most of the drought affected districts already identified in the country by letting down waters in rivers enroute for transfer to drought affected areas lower down; or for pumping from proposed reservoirs in upper basins, by curtailing the release to lower basins; and by pumping from the main link canal/river structures where necessary and when such exchange of waters is not possible.

It is hoped that the investigations of the project can be started in this year. These investigations will take about five to seven years. The details of the areas to be served in various regions will be known after these investigations are complete and the project finalised.

Increase in strength of Judges of Supreme Court

7954. SHRI ANNASAHEB GOTKHINDE : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government have decided to increase the strength of Judges of the Supreme Court to the maximum level permissible under the Constitution; and

(b) if so, when ?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) : (a) Yes, Sir.

(b) In June, 1971

Translation of the Constitution in Marathi

7955. SHRI ANNASAHEB GOTKHINDE : Will the Minister of LAW AND JUSTICE qe pleased to state :

(a) whether the work of translating the Constitution in Marathi has been assigned to the Official Language (Legislative) Commission, and

(b) if so, when the work is likely to be finalised ?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) : (a) Yes, Sir.

(b) The Offical language (Legislative) Commission has finalised the Marathi translation of the Constitution of india and action is being taken to have the translation printed.

Proposals at Sixth Committee of U N.C T A D. re Transport and Communication

7956. SHRI D. K. PANDA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) Whether the Indian representative at the meeting of the Sixth Committee of UNCTAD pleaded at Santiago on May 3,1972 that the international community and financial institutions should help the land-locked countries create an infra-structure and provide adequate systems of transport and communication;

(b) If so, the response of the Committee thereto; and

(c) The steps proposed to be taken by Government in pursuance of the said policy ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes, Sir.

(b) The Resolution was adopted by the UNCTAD inviting, *inter-alia*, the Secretary-General of UNCTAD to appoint an expert-group to study ways and means of improving thetransport infra-structure of land locked developing countries as well as urging *inter-alia* the competent international organisation and developed countries to provide appropriate technical and/or financial assistance to the land locked countries in this context.

(c) Mutually satisfactory solutions have been found between India and her land-locked neighbours, through bilateral consultations.

Coal unloading yard at Gauripur Eastern Railway

7957. SHRI INDRAJIT GUPTA : Will the Minister of RAILWAYS be pleased to state :

(b) whether the Eastern Railway has failed to begin construction of a coal unloading yard at Gouripur, as promised; and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) . (a) No.

(b) Does not arise.

Upstream Projects sanctioned on Ganga Water

7958. SHRI INDRAJIT GUPTA : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) how many up-stream projects depending on Ganga water have been sanctioned so far; and

(b) whether flushing of the Hooghly Channel, on which the future existence of Calcutta Port depends will be adversely affected by the projects ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) 32 major and 170 medium irrigation projects have been sanctioned in the Ganga Basin so far.

(b) No reduction in flushing of Hooghly Channel envisaged under the Farakka Barrage Project as sanctioned would occur by the implementation of these projects in the Basin.

Tapping of Water Resources in Madhya Pradesh

7959. SHRI RANABAHADUR SINGH : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether there is any comprehensive scheme for tapping water resources in Madhya Pradesh; and

(b) if so, the broad outlines thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) and (b). The Government of Madhya Pradesh have under preparation a Master Plan for development of irrigation in the State. In the meanwhile, work is in hand on a number of projects and the irrigation potential from major and medium projects by the end of the Fourth Plan is likely to be about 1·2 million hectares, which will rise to about 1·9 million hectares on the completion of these projects.

Generation of Power

7960. SHRI RANABAHADUR SINGH: Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether there is any proposal under Government's consideration to generate an additional 17·7 million K. W. of power with any foreign collaboration during 1972-73; and

(b) if so, the broad outline of the scheme ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B N KURLEL) (a) and (b) A programme for power development, envisaging an addition of power generating capacity of 17 7 million K W during the period 1972-77 has been drawn up There is no proposal to obtain foreign collaboration for this purpose However, a close study as to how much of the requirements of plant and equipment for carrying out this programme could be supplied by the existing indigenous manufacturers is being made with a view to assessing how much capacity would have to be obtained from other sources and in what manner

Import of Stainless Steel and Finished Goods from Nepal

7961 SHRI S C SAMANTA Will the Minister of FOREIGN TRADE be pleased to state

(a) the quantity of stainless steel and the finished goods made of stainless steel imported into India from Nepal every year according to the current trade agreement, and

(b) the duties levied upon, such goods and the prices at which these goods are sold in India, as compared to Nepal ?

THE DEPUTY MINISTER IN THE MINISTRY OF FORLIGN TRADE (SHRI A C GEORGE) (a) and (b) There is nothing specific in the Indo Nepal Treaty of Trade and Transit 1971 about stainless steel or goods made out of stainless steel

The general provision with regard to manufactured articles is that in the case of articles in which the value of Nepalese material and labour added in Nepal is at least 50 percent of the ex-factory price, the Government of India will decide in each case the nature and extent of access, including tariff preferences, having regard to all relevant factors which have a bearing on the trade in that article including the extent of third country materials used

Since the New Treaty of 1971 came into force, there have been no exports from Nepal to India of stainless steel or of goods made of stainless steel

Ticket Checkers/TTEs /Attendants involved in Theft Cases (Southern Railway)

7962 SHRI SHASHI BHUSHAN Will the Minister of RAILWAYS be pleased to state

(a) the number and names of Ticket Checkers/T T Es /Attendants in sleeper coaches who were involved in theft of passengers goods/valuables on Southern Railway during 1970, 1971 and 1972

(b) the number out of them who were subsequently found guilty of the charge and awarded punishment after departmental proceedings and the nature of punishment awarded to each of such persons,

(c) whether any compensation by way of ex gratia payment for the loss suffered by the passengers due to these thefts/losses due to the negligence of railway employees has been paid and

(d) if so the amount paid to each of such passengers if not, the reasons therefor ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) Nil

(b) to (d) Do not arise

Treatment of Suspension period of Employees of Divisional Offices, Delhi and Moradabad (Northern Railway) who had gone on Strike in 1965

7963 SHRI SHASHI BHUSHAN Will the Minister of RAILWAYS be pleased to state

(a) whether the suspension period of all the employees of the Railway Ministry who participated in 1965 strike, has been treated as period on duty, and

(b) whether cases of some of the employees working at present in Divisional Superintendent's Office (Bill Branch), N Rly, New

Delhi and Divisional Superintendent's Office, N. Rly. Moradabad have not yet been finalised and if so, the number of the employees whose cases are still pending finalisation and the date by which their cases are likely to be finalised ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA), (a) and (b). There has been no strike in 1965 on Northern Railway

राज्य विधान सभाओ के चुनावो के बाद चुनाव याचिकाओं का दाखिल करना

7964. **श्री रामावतार शास्त्री** क्या विधि और न्याय मत्री यह बताने की कृपा करेंगे कि

(क) क्या राज्य विधान सभाओ के गत चुनावो के बाद विभिन्न राज्यो मे बडे पैमाने पर चुनाव याचिकाये दाखिल की गई है, और

(ख) यदि हाँ, तो राज्यवार कितनी याचिकाये दी गई ?

विधि और न्याय मंत्रालय में राज्य मंत्री (श्री नीतिराज सिंह चौधरी) (क) और (ख). 1967 और 1972 मे विभिन्न राज्य विधान सभाओ के लिए हुए साधारण निर्वाचनों के सम्बन्ध मे फाइल की गई निर्वाचन याचिकाओ को दर्शाने वाला एक तुलनात्मक विवरण सदन के पटल पर रख दिया गया है । विवरण से यह प्रतीत होगा कि अधिकतर राज्यो मे, जिनके सम्बन्ध मे जानकारी उपलब्ध है, 1972 मे फाइल की गई निर्वाचन याचिकाओ की संख्या यद्यपि काफी अधिक है तथापि 1967 मे फाइल की गई सख्या से अधिक नही है । किन्तु, बिहार मे 1972 मे 40 याचिकाए फाइल की गईं जबकि 1967 मे इनकी सख्या केवल 21 थी ।

विवरण

राज्य विधान सभाओ के लिए हुए साधारण निर्वाचनों के संबंध में 1972 में (23-5-1972 तक) और 1967 में फाइल की गई निर्वाचन याचिकाओ का तुलनात्मक विवरण

क्र० स०	राज्य/संघ राज्यक्षेत्र का नाम	1972 के साधारण निर्वाचनो के सबध मे फाइल की गई निर्वाचन याचिकाओ की सख्या	1967 के साधारण निर्वाचनो के संबध मे फाइल की गई निर्वाचन याचिकाओ की सख्या
1.	आन्ध्र प्रदेश	*	17
2.	आसाम	3	5
3.	बिहार	40	21
4	गुजरात	9	23
5	हरियाणा	*	15
6	हिमाचल प्रदेश	12	11
7.	जम्मू और कश्मीर	38	57
8	मध्य प्रदेश	48	45
9.	महाराष्ट्र	4	21
10.	मणिपुर	5	3

1	2	3	4
11	मेघालय	2	†
12.	मैसूर	8	21
13	पजाब	*	16
14.	राजस्थान	14	15
15	त्रिपुरा	2	—
16	पश्चिम बगाल	1	8
17	दिल्ली	3	1
18	गोवा, दमण और दीव	*	2
19	मोजोराम	—	†

* उच्च न्यायालयो से सूचना अभी प्राप्त नही हुई ।

† राज्य/संघ राज्यक्षेत्र का निर्माण नही हुआ था ।

टिप्पणी—हरियाणा मे 1968 के मध्यावधि निर्वाचनो के सम्बन्ध मे 13 निर्वाचन याचिकाए फाइल की गइ और पश्चिम बगाल मे 1969 और 1971 के मध्यावधि निर्वाचनो के सम्बन्ध मे क्रमश 11 और 9 याचिकाएँ फाइल की गई ।

Regularisation of Strike period of Employees (Eastern Railway)

*7965 SHRI RAMAVATAR SHASTRI Will the Minister of RAILWAYS be pleased to state

(a) whether the Chief Mining Advisor (Rly Board) Dhanbad, Eastern Railway vide letter No LCE, 2519 dated the 12th Nov, 1971 to Chief Personnel Officer, Eastern Railway, Calcutta, recommended regularisation of the Strike period from 3rd February, 1971 to 10th February, 1971 by granting leave to the staff to maintain cordial relations between the Administration and the staff and

(b) if so, the outcome thereof ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) Yes

(b) Break in service caused due to participation in various illegal strikes on the Railways including the strike in Dhanbad Division in February, 1971 is being condoned treating the period of strike as "dies non".

Criteria for Appointment of Substitute in Traffic, Loco and C & W Deptt, Dhanbad Division (Western Railway)

7966 SHRI RAMAVATAR SHASTRI Will the Minister of RAILWAYS be pleased to state

(a) the criteria followed for appointment of substitutes in the Eastern Railway, and

(b) whether these criteria were followed for appointment of Substitutes in traffic, Loco and C & W department in the matter of appointments since March, 1971 in Dhanbad Division ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) Substitutes are, as far as possible, drawn from a panel of suitable candidates selected for Class III & IV posts Non-empanelled substitutes are also appointed in very urgent cases

(b) Yes.

Payment of Overtime, Mileage Allowances to Guards and Assistant Station Masters, Dhanbad and Gomoh Stations

7967. SHRI RAMAVATAR SHASTRI : Will the Minister of RAILWAYS be pleased to state :

(a) whether Guards utilised regularly on Special Duty as Chasers and Assistant Station Masters are being given the benefit of 12 hours' duty instead of eight hours actual duty for overtime and mileage, if so, whether it is permissible under the rules;

(b) the amount paid to the Guards of Dhanbad and Gomoh Stations during 1971 as overtime and mileage allowances; and

(c) the action proposed to be taken by Government in the matter ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) The Guards are not being utilised regularly on special duty as Chasers and Assistant Station Masters and are not being given the benefit of 12 hours duty as a regular formula. Whenever they are utilised on special stationary duties they are being paid Running Allowance for 8 hours and such overtime as they actually perform beyond the statutory limit of 54 hours a week;

(b) The amount paid for stationary duty, being in the shape of Running Allowance, is not reckoned separately as it is merged with other Running Allowances earned by staff for performing train duties. Similarly, the overtime accruing on stationary duties is not separately reckoned and payment for overtime is made on the basis of total time worked, both on train running duties as well as on stationary duties. The date asked for is, therefore, not available.

(c) Does not arise in view of the fact that the running staff are permitted to be utilised on stationary duties when occasion demands for which the rules provide for payment of computed Running Allowance.

पश्चिम रेलवे प्रशिक्षण विद्यालय, उदयपुर में प्रशिक्षकों की भर्ती संबंधी नियम

7968. **श्री लालजी भाई** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पश्चिम रेलवे प्रशिक्षण विद्यालय, उदयपुर में प्रशिक्षक रखने के लिए क्या नियम बनाए गए हैं; और

(ख) इस विद्यालय में इस समय कितने प्रशिक्षक हैं ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) प्रशिक्षकों की श्रेणी में सीधे भर्ती की व्यवस्था नहीं है । इन पदों की सेवा-रत रेल कर्मचारियों में से प्रवरण के आधार पर भरा जाता है ।

(ख) 52

वैगनों की कमी के कारण उदयपुर में जमा जस्ता और सुपर फास्फेट

7969. **श्री लालजी भाई** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिन्दुस्तान जिंक लिमिटेड उदयपुर के गोदामों में इस समय लगभग 6000 टन जस्ता और 12,000 टन सुपर फास्फेट भरा पड़ा है और यह माल रेलवे द्वारा वैगनों की कमी के कारण बाहर नहीं भेजा जा रहा है; और

(ख) यदि हाँ, तो इस संबंध में सरकार क्या कार्यवाही कर रही है ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) और (ख). जिंक की ढुलाई सामान्यतः साथ के साथ हो रही है । पहली जनवरी से 20 मई, 1972 तक 133 माल डिब्बों का लदान किया गया ।

पहली जनवरी से 30 अप्रैल, 1972 तक 755 माल डिब्बों में सुपर फास्फेट का लदान

हुआ। इस यातायात की निकासी मांग के अनुसार साथ के साथ नही हो सकी, क्योंकि कुछ मार्गे ऐसे गन्तव्य स्टेशनों के लिए थी जहाँ कठिन मार्गों से होकर जाना पडता है। इसके अलावा चन्देरिया और खेमली के दोनों सीमेंट कारखानों से वर्षा ऋतु से पूर्व सीमेंट के सकलन के लिए भारी दबाव पड़ रहा है। चालू महीने में ढुलाई का काम तेज कर दिया गया है और 20 मई, 1972 तक 195 माल डिब्बो का लदान कर दिया गया था। लदान मे और तेजी लाने के लिए सभी प्रयास किए जा रहे है।

उदयपुर जिले में रेलवे स्टेशनों को बिजली देना

7970 **श्री लालजी भाई** : क्या रेल मत्री यह बताने की कृपा करेगे कि

(क) उदयपुर जिले मे ऐसे रेलवे स्टेशनो की संख्या कितनी है जहाँ बिजली लगाई जा चुकी है, और

(ख) शेष रेलवे स्टेशनो पर कब तक बिजली आ जाने की संभावना है ?

रेल मंत्री (श्री के० हनुमन्तैया) . (क) और (ख). उदयपुर जिले मे कुल 42 स्टेशन है। इनमे से 16 स्टेशनो का विद्युतीकरण पहले ही हो चुका है और 2 स्टेशनो अथवा लावा सरदारगढ और जवार स्टेशनो का 1972-73 के दौरान विद्युतीकरण करने का कार्यक्रम बनाया गया है। शेष 24 स्टेशनो के आस-पास ज्यो ही विश्वसनीय निम्न वोल्टता की बिजली सप्लाई उचित सर्विस कनेक्शन प्रभारो और दर शुल्क पर उपलब्ध होगी त्यो ही उसके विद्युतीकरण के प्रश्न पर विचार किया जायेगा।

किसानों को बिजली की सप्लाई

7971. **श्री लालजी भाई** क्या सिंचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने तहसील केन्द्रो मे किसानो को बिजली उपलब्ध कराने का कार्यक्रम बनाया है;

(ख) यदि हाँ, तो राजस्थान के उदयपुर जिले के कितने तहसील केन्द्रो मे किसानो को बिजली दी जा चुकी है, और

(ग) शेष तहसील केन्द्रो मे किसानों को कब तक बिजली दी जा सकेगी ?

सिंचाई और विद्युत् मंत्रालय में उपमंत्री (श्री बैजनाथ कुरील) : (क) राजस्थान सरकार ने राज्य बिजली बोर्ड को निदेश दिया है कि वे राज्य मे सभी तहसील-हैडक्वार्टरों का विद्युतीकरण करे।

(ख) और (ग) उदयपुर जिले मे 17 तहसील-हैडक्वार्टरो मे से अब तक 13 का विद्युतीकरण किया जा चुका है। एक और तहसील केन्द्र को विद्युतीकृत करने के लिए स्वीकृति दी जा चुकी है। शेष तीन तहसील केन्द्रो का विद्युतीकरण संसाधनो की उपलभ्यता, तकनीकी व्यवहार्यता और परियोजना की वित्तीय सभाव्यता पर निर्भर करता है।

Late Runing of Special Trains to clear Rush of Passengers

7972. SHRI NIHAR LASKAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government are aware that the special trains to clear rush generally run late and take longer time; and

(b) if so, the steps being taken in this regard ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) and (b). It is not correct that the special trains generally run late, though some of them may. To ensure their punctual running their punctuality is being watched this year with the same amount of care as of other Mail/Express trains.

US Legislation for Generalised Scheme of Preferences

7973. SHRI B V. NAIK : Will the Minister of FOREIGN TRADE be pleased to state the effect on India's foreign trade as a result of the delay in the enactment of law to implement the generalised scheme of preferences by the United States ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : As a result of the delay in the enactment of law by the U. S. A. to implement the Generalised System of Preferences, it is estimated that, on the basis of 1970-71 statistics, India's exports worth about Rs. 29 crores to the U. S. A. have been deprived of the benefit of duty-free treatment under the Generalised System of Preferences.

Export of Natural Rubber

7974. SHRI B. V. NAIK : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Government have decided to export natural rubber, and if so the quantity of rubber proposed to be exported and the countries with which export arrangements have been or are being made; and

(b) the likely foreign exchange and rupee earnings thereby ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). The export of natural rubber is still being actively explored. No export has been effected so far and it will be too early to assess the prospect of foreign exchange earnings.

Buffer Stock of Rubber

7975. SHRI B V. NAIK : Will the Minister of FOREIGN TRADE be pleased to state whether Government have decided to create buffer stock of rubber to help the grower clear his produce at reasonable cost and in due time; if so, the broad outlines of the decision ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : State Trading Corporation and Kerala State Government are in rubber market. Manufacturers agreed in January, 1972 to stock 3·5 months requirements of rubber for tyre units and 2·5 months for non-tyre manufacturers. Rubber manufacturing units lift stocks from State Trading Corporation and Kerala State Government in addition to purchases from the rubber market.

The question of maintaining minimum buffer stock of rubber with STC at 5,000 tonnes and 2,000 tonnes with the Kerala State Government at every point of time in the purchase operations is being considered. The prevailing price of rubber in open market is appreciably high and satisfactory.

Number of Cheque Passes issued in favour of Railway Station Porters Co-operative Labour Contract Society, Allahabad

7976. SHRI ISHWAR CHAUDHRY : Will the Minister of RAILWAYS be pleased to state :

(a) the number and value of cheque passes issued in favour of Railway Station Porters, Cooperative Labour Contaract Society, Allahabed by the Divisional Superintendent, Northern Railway, Allahabad during the last three years;

(b) whether the cost of such passes has been added to the amount of subsidy paid to the Society to determine the actual annual the valuation of the contract; and

(c) if not, the reasons therefor ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT—3113/72]

(b) and (c). The parcel handling contract at Allahabed station was allotted to Railway Station Porters' Cooperative Labour Contract Society Ltd., Allahabad with effect from 1.4.1960 on the same terms and conditions as were applicable to M/S Ballabh Das

Aggarwal (the previous contractors) and since this facility was given to the previous contractor, the same was allowed to this Society. However, this facility will be withdrawn while awarding a new contract.

Main Exports from Kerala

7977. SHRI VAYALAR RAVI : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the main items of exports from Kerala and the total amount of exports of these items in 1970-71 and 1971-72; and

(b) a brief outline of the steps taken by Government to increase the production and export of these items ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). Statewise statistics are not available.

Export Incentive Licences given to Small Scale Exporters being utilised by Large Export Houses

7978. SHRI VAYALAR RAVI : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether large export houses are utilising the export incentive licences given to small scable exporters; and

(b) if so, the steps taken to prevent these incentive licences being utilised by large export houses ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Under the Import Trade Control Policy for Registered Exporters a copy of which has already been placed on the table of the House on 3rd April, 1972, Eligible Export Houses can acquire licences by transfer irrespective of the fact whether the licences are issued to Small Scale or Large Scale Sector under certain conditions as laid down in the Policy.

(b) The entire syrtem is under constant review and a strict watch is kept to prevent misuse.

Requirement of Power Estimated by Eastern Regional Electricity Board

7979. SHRI SUKHDEO PRASAD VERMA : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether Eastern Regional Electricity Board which held its sitting on the 2nd May, 1972 has estimated the power requirement of the region under the decade plan for the period 1971 to 1981; and

(b) if so, the estimated requirement ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) No, Sir.

(b) Does not arise.

Decision on Demands of staff of Signal and Telecommunication Department of Indian Railways

7980. SHRI CHANDRIKA PRASAD : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 7551 on the 10th August, 1971 regarding the action taken on demands of Signal and Telecommunication Department staff of Indian Railways and state the progress of action taken in respect of matters referred to items Nos. 4,6,7,9,10 of the statement attached to the reply to the aforesaid Question ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : A statement giving the information is laid on the Table of the House [*Placed in Library. See* No. LT 3114/72]

Implementation of Recommendations of Railway Accidents Inquiry Committee

7981. SHRI CHANDRIKA PRASAD : Will the Minister of RAILWAYS be pleased

to state whether recommendations of Railway Accidents Inquiry Committee 1968 in paras 668 to 670 of their Report and item No. 324 (v) of the "Views of Ministry of Railway" thereon have been implemented ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA): Steps are under way to implement the recommendations from the current financial year.

भारत नैपाल संयुक्त पुनरीक्षण समिति की स्थापना

7982. **श्री महादीपक सिंह शाक्य** : क्या **विदेश व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत-नेपाल संधि के उपबंधों का कार्यान्वयन प्रभावकारी और सुव्यवस्थित ढंग से चलाने के लिए दोनों सरकारों के प्रतिनिधियों ने एक संयुक्त पुनरीक्षण समिति स्थापित करने की योजना तैयार की है; और

(ख) यदि हाँ, तो उस समिति के सदस्यों के क्या नाम हैं और उसके मुख्य कार्यों का ब्यौरा क्या है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) और (ख). यह सुनिश्चित करने के लिए कि भारत-नेपाल व्यापार तथा परिवहन संधि 1971 के उपबंध प्रभावकारी तथा सामंजस्यपूर्ण ढंग से कार्यान्वित हों और समय-समय पर एक दूसरे से परामर्श करने के लिए, ताकि उसके उपबंधों को कार्यान्वित करने में जो कठिनाइयाँ उत्पन्न हों उन्हें संतोषजनक ढंग से तथा शीघ्रता से सुलझाया जा सके, उस संधि के अनुसार एक संयुक्त पुनरीक्षण समिति स्थापित की गई है। इस संयुक्त समिति में भारत सरकार तथा नेपाल सरकार के प्रतिनिधियों के रूप में एक-एक वरिष्ठ अधिकारी है और उनकी सहायता के लिए ऐसे अन्य अधिकारी होते हैं जिनकी समय-समय पर आवश्यकता हो।

भारतीय रेल उपस्करों के निर्यात की संभावनाओं का पता लगाने के लिए दक्षिण अमरीका को प्रतिनिधिमंडल का भेजा जाना

7983. **श्री महादीपक सिंह शाक्य** : क्या **विदेश व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या परियोजना और उपस्कर निगम के अध्यक्ष के नेतृत्व में एक प्रतिनिधिमंडल भारतीय रेल उपस्करों के निर्यात की संभावनाओं का पता लगाने के लिए अर्जेंटीना, ब्राजील तथा दक्षिण अमरीका के अन्य देशों में गया था; और

(ख) यदि हाँ, तो उसके दौरे के क्या परिणाम निकले ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) जी हाँ।

(ख) प्रतिनिधिमंडल ने इन देशों में व्यापारिक संगठनों के साथ सम्पर्क स्थापित किया और कतिपय चुने हुए इंजीनियरी उत्पादों में उनके साथ व्यवसाय करने की संभावनाओं का पता लगाया है उनमें कुछ उत्पाद ये हैं :

—रेलवे वैगन, रेलवे सिगनलिंग तथा दूरसंचार उपस्कर।

—सीमेंट और वस्त्र बनाने की मशीनें।

—आद्योपात आधार पर और संयुक्त उद्यम आधार पर भारी इंजीनियरी कैम्प्लेक्स और चीनी संयंत्रों की स्थापना के लिए परामर्शदात्री सेवाएं।

— बाइसिकल और संघटक।

यह प्रतिनिधिमंडल भारत और लातीनी अमरीकी देशों के बीच होने वाले व्यापार के मार्ग में आने वाली कुछ अन्य संबंधित समस्याओं जैसे कि पर्याप्त तथा नियमित जहाजरानी सेवाओं के अभाव, को सुलझा सका।

इन संपर्कों और समुचित जहाजरानी सेवाओं आदि जैसी अन्य अवस्थापनाओं के बन जाने से इस क्षेत्र के साथ हमारे व्यापार में दीर्घावधि आधार पर वृद्धि होने की आशा है।

रामकोला और पथरौना (पूर्वोत्तर रेलवे) स्टेशनों के बीच एक माल गाड़ी और बस में टक्कर

7984. **श्री महा दीपक सिंह शाक्य** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे के गोरखपुर सीवान लाइन पर रामकोला और पथरौना स्टेशनों के बीच एक माल गाड़ी और बस में टक्कर हो गई थी, जैसा कि 8 मई, 1972 के 'हिन्दुस्तान' में प्रकाशित हुआ है; और

(ख) यदि हाँ, तो दुर्घटना के क्या कारण थे और इसके परिणामस्वरूप रेलवे को कितनी हानि हुई ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) दुर्घटना 6-5-1972 को हुई।

(ख) जाँच समिति के निष्कर्ष के अनुसार यह दुर्घटना पहुँच रही एक गाड़ी के समय समपार फाटक को सड़क यातायात के लिए खुला रख छोड़ने और ड्राइवर की सतर्कता में कमी के कारण हुई। रेल सम्पत्ति को लगभग 50 रुपये की क्षति पहुँचने का अनुमान है।

Foreign Market for Indian made Electric Fans

7985. SHRI RAJDEO SINGH : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether India made electric fans besides meeting the domestic requirements have entered the foreign markets;

(b) if so, the countries opting for Indian electric fans; and

(c) whether Government are contemplating to provide export incentives to the exporters of fans to enter the foreign markets in a big way ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes Sir.

(b) The major importing countries are Arab Republic of Egypt, Aden, Australia, Ceylon, Iran, Iraq, Kuwait, Malaysia, Muscat, Nigeria, Saudi Arabia, Singapore, Sudan etc.

(c) Existing level of export assistances are found to be sufficient incentives for Indian exporters to compete in the foreign markets.

न्याय व्यवस्था में सुधारों के लिए सुझाव

7986. **डा० लक्ष्मीनारायण पांडेय** : क्या विधि और न्याय मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान 8 मई, 1972 के 'नवभारत टाइम्स' (हिन्दी) में, 'किसी भी मुकदमे की केवल एक अपील की आज्ञा दी जाए' शीर्षक के अन्तर्गत छपे समाचार की ओर दिलाया गया है; और

(ख) यदि हाँ, तो इस पर सरकार की क्या प्रतिक्रिया है ?

विधि और न्याय मंत्रालय में राज्य मंत्री (श्री नीतिराज सिंह चौधरी) : (क) जी हाँ।

(ख) सिविल प्रक्रिया संहिता, 1908 और दण्ड प्रक्रिया संहिता, 1898 विधि आयोग की रिपोर्टों की (सिविल प्रक्रिया संहिता पर विधि आयोग की 27 वी रिपोर्ट और दण्ड प्रक्रिया संहिता पर विधि आयोग की 37 वी और 41 वी रिपोर्ट) विषय-वस्तु रही है। इन रिपोर्टों में से किसी में भी आयोग द्वारा यह सिफारिश नहीं की गई है कि किसी भी मामले में अपील का अधिकार केवल एक बार तक ही सीमित

होना चाहिए। यह भी उल्लिखित किया जा सकता है कि दण्ड प्रक्रिया संहिता (संशोधन) विधेयक, जो अब संसद के दोनो सदनों की संयुक्त समिति को निर्दिष्ट किया गया है, विधि आयोग के सुझावों को प्रभाव देना चाहता है। जहां तक सिविल प्रक्रिया संहिता, 1908 का संबंध है, उसे विधि आयोग को खर्चा कम करने और मुकदमों में विलम्ब से बचने की दृष्टि से पुन: जांचने के लिए वापिस भेज दिया गया है।

Agreement between I J M. A. and Unions of Jute Workers

7987. SHRI INDRAJIT GUPTA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the Indian Jute Mills Association has signed an agreement on the 7th May, 1972 with the unions of jute workers for higher wages and other benefits;

(b) if so, the total estimated cost per annum of the additional wages and allowances to the industry;

(c) whether the Indian Jute Mills Association has approached Government for any compensation in the shape of reduced taxes, excise of export duties or higher prices for 'B Twill' sacks;

(d) if so, Government's reaction in the matter; and

(e) whether the (unprecedented) profits of the mills in 1971 have given them enough margin to absorbed higher labour costs ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) Yes, Sir.

(b) As per e timate prepared by the Industry about Rs. 20 crores.

(c) No, Sir.

(d) Does not arise.

(e) The capacity to pay higher wages must obviously have been taken into account while arriving at the settlement.

Import Licences for Ish Alloy Steel Private and Purushottam Traders, Indore

7988. SHRI PHOOL CHAND VERMA : Will the Minister of FOREIGN TRADE be pleased to state the number of import licences granted to Ish Alloy Steel Private Ltd., Indore and Purushottam Traders Private Ltd., Indore during the last three years, yearwise, and the purpose and value thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : Particulars of all import licences issued are published in the Weekly Bulletin of Industrial Licences, Import Licences and Export Licences, copies of which are supplied regularly to Parliament Library.

धनबाद रेलवे स्टेशन (बिहार) में प्रदर्शन और धरना

7989. **श्री शिव कुमार शास्त्री** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या धनबाद (बिहार) रेलवे स्टेशन पर बहुत बड़ी संख्या में प्रदर्शनकारियों ने रेल की पटरियों पर धरना देकर 2 घंटे तक गाड़ियों के यातायात को रोके रखा; और

(ख) यदि हां, तो इसके क्या कारण है और इस पर सरकार की क्या प्रतिक्रिया है ?

रेल मंत्री (के० हनुमन्तैया) : (क) जी हां।

(ख) धरना पटना और धनबाद के बीच एक सीधी गाड़ी के मार्ग पर जोर देने के लिए दिया गया था।

ऐसी गाड़ी चलाने के बारे में जांच की जा रही है।

Composition of Indian Delegation at UNCTAD in Chile

7990. SHRI JYOTIRMOY BOSU : Will the Minister of FOREIGN TRADE be pleased to state the composition of the Indian Delegation to the last UNCTAD Session held in Chile ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : A statement showing the composition of Indian Delegation to the last UNCTAD Session held at Santiago (Chile) is laid on the Table of the House. [*Placed in Library. See* No. LT 3115/72]

Import of Dicalcium Phosphate and Irish Moss Extract by Colgate Palmolive Company

7991. SHRI K LAKKAPPA : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether Dicalcium Phosphate and Irish Moss Extract are imported by Colgate-Palmolive Company (India Limited) through U. S. ATD;

(b) if so, the quantum of imoorts; and

(c) whehter the import of the said items is banned, if so, the action taken by Government in this matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c) . Import of Dicalcium Phoshate is not allowed and no import licences for this item have been issued to M/S. Colgate-Palmolive Company (India) Ltd under U. S. Aid for the licensing periods April 1970--March 1971 and April 1971--March 1972. Import of Irish Moss Extract is being allowed to actual users and import licences under U. S. Aid were issued to this party for the licensing period April 1970—March 1971 for a total value of Rs. 5,72,400 under U.S. Aid for import of raw materials which included this item. Statistics of actual imports of these items are not being maintained. Also, no statistics are maintained in respect of imoprts made by individual parties.

Huge Pilferage of Railway Goods

7992. SHRI SUBODH HANSDA : Will the Minister of RAILWAYS be pleased to state :

(a) whether Government's attention has been drawn to the news report appearing in Dak Edition of 'The Searchlight' dated the 20th March, 1972 under the caption 'Huge Pilferage of Railway goods; and

(b) if so, the reaction of Government thereto and the action taken by Government in the matter ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) (i) Railway Protection Force and Police have set up sources for collection of intelligence.

(ii) Huge quantity of stolen property has been recovered and several criminals arrested.

(iii) Action is under way to detain some veteran criminals under the Maintenance of Internal Security Act.

(iv) Trains carrying valuable goods particularly iron material are being escorted in the area.

(v) Vulnerable sections are being patrolled by the Railway protection Force.

Rebate Payment to Tea Exporters from Central Exchequer

7993. SHRI B. K. DASCHOWDHURY: Will the Minister of FOREIGN TRADE be pleased to state the estimaters of total amount of rebate paid to tea exporters from the Central Exchequer in 1970 and 1971 and the total amount of additional foreign exchange earned from tea exports during these two years ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : The quantum of rebate in excise duty on tea exports is estimated at Rs. 9·78 croes in 1970 and Rs. 9·85 crores

in 1971. Amount of additional foreign exchange earned from increased exports of tea was Rs. 28·28 crores in 1970 as compared to exports in 1969 and Rs. 11·48 crores in 1971 as compared to exports in 1970.

Expenditure on Tea Promotion Abroad

7994. SHRI B K. DASCHOWDHURY: Will the Minister of FOREIGN TREDE be pleased to state :

(a) the total annual expenditure incurred by Tea Board on tea promotion outside India during the last three years; and

(b) whether Government have reviewed the necessity of continuing to spend money on tea promotion outside India in addition to grant of rebate on tea exports and in spite of restrictions imposed under International Regulations on increasing exports in excess of the quota?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A.C. GEORGE) : (a) The total annual expenditure incurred by Tea Board on tea Promotion out side India during the last 3 years is given below:—

Year	Expenditure (in Rs /lakhs)
1968-69	112 83
1969-70	114 22
1970-71	134 33

(b) Grant of Rebate in excise duty on tea exports and regulation of exports under the Ad-hoc International arrangement were and conceived as measures alternative to promotion. The purpose of Generic Promotion which is undertaken by participating producing countries in collaboration with local trade is to propagate consumption of tea as a beverage. The Unimational Promotion that is conducted through Tea Board's offices abroad is to obtain increased share for Indian Tea in the world market. There is a continued need for promotion to achieve fully the benefit of fiscal measures. Considering the importance of global promotion for tea, F. A. O. has in fact set up an Inter Governmental Sub-group on promotion.

Expenditure on Tea Centre in London

7995. SHRI B. K. DASCHOWDHURY: Will the Minister of FOREIGN TRADE be pleased to state :

(a) the total sales and expenditure incurred per annum on Tea Board's Tea Centre in London during the last three years; and

(b) the names of the employees borne on the strength of Tea Centre as on the 31st March, 1971 with their dates of employments, emoluments and the manner of recruitment ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) The sale proceeds and the recurring expenditure per annum on Tea Board's London Tea Centre during the last 3 yeras are given below : —

(Figures in Rs./lakhs)

Year	Sale Proceeds	Recurring Expediture.
1969-70	8·78	12·71
1970-71	9·60	16·7
1971-72	9 36*	13·0*

*for 10 months 1st January, 1972.

(b) The information is being collected and will be placed on the Table of the House.

Opening of Tea Centre in Melbourne

7996. SARI B. K DASCHOWDHURY: Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether the Tea Board has opened a Tea Centre in Melbourne in 1971;

(b) if so, the amount sanctioned by Government in foreign exchange towards its establishment; and

(c) the actual expenditure incurred by Tea Board and how the excess amount, if any, over the sanctioned amount in foreign exchange was made available to Tea Board ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI

A C GEORGE) (a) Yes Sir Tea Centre was opend in Melbourne on 3-12-1972

(b) A sum of Rs 5 50 lakhs in foreign exchange was sanctioned by Government towards its capital expenditure

(c) Actual capital expenditure ineurred for the Tea Centre worked out to Rs 10 06 lakhs The excess amount over Government sanction was met by Tea Board out of funds for Board's other promotional work in Australia

Increase in Quota of Reservation for First and Third Class for dehri-on-Sone Station

7997 KUMARI KAMLA KUMARI Will the Minister of RAII WAYS be pleased to state

(a) the quota for Dehri on Sone Junc tion in all the trams passing through the station for Ist and IIIrd class (3 tier and 2-tier) and

(b) whether there is any proposal to increase the quota and if so the extent of the proposed increase ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) The following quotas are at present allotted to Dehri on Sone Junction station by various trains —

Train	Quotas allotted to Dehri on Sone Junction		
	First Class Berths	Third class sleeper berths 3 Tier	2 Tier
1 Up Howrah-Delhi-Kalka Mail	2		
3 Up Howrah-Bombay Mail via Allahabad		3	
17 Up Pathankot Express		2	
2 Dn Kalka-Delhi-Howrah Mail	3		
10 Dn Doon Express	2	8	

(b) No

Railway Lines in Chhotanagpur Region of Bihar

7998 KUMARI KAMLA KUMARI Will the Minister of RAILWAYS be pleased to state

(a) whether Government propose to lay new railway lines in Chhotanagpur region of Bihar and

(b) if so, an outline of the proposal ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) No

(b) Does not arise

Sale of Tickets at Meral, Garhwa and Garhwa Road Stations for Delhi

7999 KUMARI KAMLA KUMARI Will the Minister of RAII WAYS be pleased to state

(a) the total number of tickets issued at Meral Garhwa and Garhwa Road stations for Delhi during the last six months, month wise and

(b) the total number of tickets which were collected in Delhi ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) and (b) The information is being collected and will be laid on the Table of the House

Calcutta Metropolitan Development Authority Request for Wagons

8000 DR RANEN SEN Will the Minister of RAII WAYS be pleased to state

(a) whether the Calcutta Metropolitan Development Authority (C M D A) is facing acute wagon shortage affecting progress of their work

(b) whether the Calcutta Metropolitan Development Authority has made repeated requests to the Railway Board for taking steps to ease the situation and

(c) if so, the steps taken by Government to meet the situation ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) : (a) Not to the knowledge of this Ministry.

(b) Some requests were received to step up loading of stones and cement on account of C M D A.

(c) Steps were taken to step up loading of construction materials on account of C. M. D. A. Against daily average loading of 33 wagons of stone for C. M D. A. in 1971, daily average loading during January to the middle of May, 72 had been 57 wagons. Loading of cement for West Bengal, including C. M D. A. has also been stepped up from 541 wagons in February' 72 to 719 wagons in March and 628 wagons upto 20th May. Railways are also planning additional terminal facilities in Calcutta area in conjunction with C. M. D. A. and the Government of West Bengal.

मध्य रेलवे में सामान की नीलामी से संबंधित विवादों का न्यायालय में ले जाया जाना

8001. **श्री गंगा चरण दीक्षित** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों मे मध्य रेलवे की सामग्री की नीलामी से संबंधित विवादो के कितने मामले न्यायालयों मे ले जाये गये; और

(ख) इनमे से कितने मामलों का फैसला रेलवे सामग्री के खरीददारो के पक्ष मे गया ?

रेल मंत्री (श्री के० हनुमन्तैया) : चार ।

(ख) कोई नही ।

भिण्ड तथा मुरैना जिलों में चम्बल की नहरों से सींची जाने वाली भूमि

8002. **श्रीमती वी० आर० सिन्धिया** क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) भिण्ड तथा मुरैना जिलों में कितने एकड़ भूमि को चम्बल की नहरों से गत कृषि वर्ष में सींचा जाने का लक्ष्य था;

(ख) वास्तव मे कितने एकड़ भूमि सिंचित की गई; और

(ग) सिंचाई के लक्ष्य पूरे न होने के क्या कारण हैं और नियत लक्ष्य प्राप्त करने के लिए क्या कार्यवाही की गई ?

सिंचाई और विद्युत मंत्रालय में उपमंत्री (श्री बैजनाथ कुरील) : (क) से (ग). मध्य प्रदेश के भिंड और मुरैना जिलों मे 1971-72 में खरीफ और रबी ऋतुओं के दौरान चम्बल नहरो से सिंचाई के लिए आयोजित क्षेत्र क्रमश: 50,000 और 3,31,000 एकड था । खरीफ और रबी के लिए वास्तविक सिंचित क्षेत्र क्रमश 7,000 एकड़ और 3,12,000 एकड़ था ।

खरीफ के दौरान, इस कारण कमी हुई है कि कृषकों ने बहुत अच्छे वर्षापात के कारण सिंचाई के लिए पानी की कोई मांग नही की । रबी मे कमी का कारण दक्षिण मुख्य नहर में बहुत अधिक सराल (वीड) का उगना था । सराल को साफ करने तथा इसकी जल ले जाने की क्षमता को बढाने के लिए कार्यवाही की जा रही है ।

देश में गांवों का विद्युतीकरण

8003. **श्री कमल मिश्र मधुकर** :
श्री महा दीपक सिंह शाक्य :

क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि देश मे वर्ष 1971-72 के अंत तक राज्य वार कितने गाँवों का विद्युतीकरण किया गया था और वर्ष 1971-72 के अंत तक और चौथी पंचवर्षीय योजना की शेष अवधि के दौरान कितने गाँवों का विद्युतीकरण किया जाएगा ?

सिंचाई और विद्युत मंत्रालय में उपमंत्री (श्री बैजनाथ कुरील) एक विवरण सभा-पटल पर रखा जाता है। [ग्रंथालय में रखा गया। देखिए संख्या LT—3116/72]

प्लेइंग कार्डों (ताश) का आयात

8004 **श्री अम्बेश** क्या विदेश व्यापार मंत्री यह बताने की कृपा करेंगे कि

(क) क्या प्लेइंग कार्डों (ताश) का अब भी विदेशों से आयात किया जा रहा है, और

(ख) यदि हाँ, तो गत तीन वर्षों में वर्षवार कितने मूल्य के प्लेइंग कार्ड (ताश) आयात किये गये ?

विदेश व्यापार मंत्रालय में उपमंत्री (श्री ए० सी० जार्ज) (क) वर्ष 1971-72 (नवम्बर, 1971 तक) के दौरान ताश के कोई आयात नहीं किये गये। नवम्बर, 1971 के बाद के आयात आंकड़े उपलब्ध नहीं है।

(ख) वर्ष 1968-69, 1969-70 तथा 1970-71 के दौरान क्रमश 16 हजार रु०, 14 हजार रु० और 3 हजार रु० मूल्य के ताश आयात किए गये।

Loss of Jute Export Earning due to Power shortage in West Bengal

8005 SHRI RAMKANWAR Will the Minister of FOREIGN TRADE be pleased to state

(a) the total loss of export earning as a result of difficulties in the functioning of Jute mills due to the shortage of power supply in West Bengal, and

(b) the action taken or proposed to be taken in this regard ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) (a) During the year 1971 and the period January-April, 1972, the loss of foreign exchange on account of shortage of power in West Bengal is roughly estimated by the jute industry at Rs 4 2 crores and Rs 0 5 crore respectively

(b) West Bengal Government have set up a High Power Committee to study situation and regulate consumption of electricity by various consumers State Government are fully seized of the problem and are doing all they can to bring about improvement

Delay in Execution of Agreement with Private Sidings

8006 SHRI AZIZ IMAM Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No 1264 on the 28th March, 1972 regarding financial loss to Railways due to non-execution of agreement with sidings and state whether heavy amount of shunting charges demurrage charges and freight charges are due to be recovered from the siding owners on Allahabad Division and if so, the amount due against each siding and the reasons for delay in realising the dues ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) Information is being collected and will be laid on the Table of the Sabha

Termination of Vending Contract at Fatehpur Station

8007 SHRI AZIZ IMAM Will the Minister of RAILWAYS be pleased to state

(a) whether the Vending Contract at Fatehpur was ordered for termination by the Divisional Superintendent, Allahabad during 1971 and 1972,

(b) whether the orders of termination have been carried out and

(c) if not, the reasons therefor ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) The Divisional Superintendent Allahabad passed orders on 25 1 1972 to terminate the vending contract of M/S Chandan Lal Brij Bahadur

(b) No

(c) On a further review it was decided to watch the performance of the contractor before taking final action in the matter.

Rules for Stay in Inspection Carriages

8008. SHRI AZIZ IMAM : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3811 on the 25th April, 1972 regarding officers carriage misused for residential purposes by Senior Officers of Allahabad Division (Northern Railway) and state :

(a) whether any Rules have been made to allow the officers to stay in inspection carriages for other than official purposes without any payment; and

(b) the number of checks conducted by the Commercial Officers of Allahabad Division through inspection carriages month-wise, during November, 1970 to January, 1971 and during November, 1971 to January, 1972 ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes, the use of Inspection Carriages for temporary stay is permitted without any payment when no other residential accommodation is available and Inspection Carriages are not required for inspection purposes during the relevant period.

(b) During November, 1970 and January, 1972, two inspections were carried out in each month by Commercial Officers of Allahabad Division in Inspection Carriages. No inspection was carried out by the Commercial Officers of Allahabad Division in inspection carriages during other months.

Export of Films through I M P. E. C.

8009. SHRI VAYALAR RAVI :
SHRI ONKAR LAL BERWA :

Will the Minister of FOREIGN TRADE be pleased to state :

(a) the names of the films exported in 1971-72 and total earnings in rupees and in other currencies during the period;

(b) whether Government have enquired into the failure of I. M. P. E. C. to increase the export of films; and

(c) if so, the outcome thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) A statement giving the names of the films exported by IMPEC and foreign currency earned during 1971-72 is laid on the Table of the House. [*Placed in Library. See* No. LT—3117/72.]

(b) and (c). The implementation of the entire policy of canalization of export of Indian Films is under active consideration.

सिंचाई तथा विद्युत मंत्रालय की राज-भाषा कार्यान्वयन समिति

8010. **श्री ईश्वर चौधरी** : क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय की राज-भाषा कार्यान्वयन समिति के कितने सदस्य हैं और गत वर्ष समिति की कितनी बैठकें हुई थीं;

(ख) उक्त समिति द्वारा अब तक दिए गए सुझावों की मुख्य रूपरेखा क्या है; और

(ग) इन सुझावों को क्रियान्वित करने के लिए क्या व्यवस्था की गई है ?

सिंचाई और विद्युत मंत्रालय में उप-मंत्री (श्री बैजनाथ कुरील) : (क) इस समिति की जिसमें 12 सदस्य है, 1971 के दौरान तीन बैठकें हुई ।

(ख) राज-भाषा अधिनियम के कार्यान्वयनार्थ जारी किए गए अनुदेशों की परिपालना के अतिरिक्त समिति ने निम्नलिखित मुख्य सुझाव दिए थे :

(1) इस मंत्रालय में हिन्दी के प्रगामी प्रयोग के संबंध में स्टाफ से सुझाव लेने के लिए एक सुझाव बक्स रखा जाये ।

(2) इस मन्त्रालय मे हिन्दी का अच्छा ज्ञान रखने वाले अधिकारियो और स्टाफ को सरकारी कामकाज मे यथासम्भव हिन्दी का प्रयोग करना चाहिए ।

(3) मंत्रालय से छोटे-छोटे और गैर-तकनीकी पत्र हिन्दी भाषी राज्यो को मूल रूप से हिन्दी मे भेजे जाएँ ।

(4) हिन्दी अधिकारी को मंत्रालय तथा इसके सबद्ध एव अधीनस्थ कार्यालयो मे अनुभागो के साथ सम्पर्क स्थापित करना चाहिए और यह पता लगाना चाहिए कि हिन्दी के प्रगामी प्रयोग के सबध मे विभिन्न हिदायतो को कार्यान्वित करने मे उनके सामन क्या कठिनाइयाँ है ।

(ग) समिति की बैठक के कार्यवृत्त को आवश्यक कार्यवाही हतु सभी सबंधित अधिकारियो को भेजा जाता है । किसी भी बैठक मे लिये गये निर्णयो अथवा दिए गये सुझावो का समिति की अगली बैठक म पुनरीक्षण किया जाता है ।

गया जंक्शन जाने वाले यात्रियों पर तीर्थ यात्रा कर

8011 **श्री ईश्वर चौधरी** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पूर्वी रेलवे के गया जक्शन के लिए टिकट खरीदने पर यात्रियो को रेल किराये के अतिरिक्त तीर्थयात्रा कर देना पडता है,

(ख) यदि हाँ, तो उन यात्रियो से यह कर वसूल करने का क्या औचित्य है जो गया अथवा उसके निकटवर्ती क्षेत्रो मे रहते है तथा जो तीर्थ यात्री नही है; और

(ग) क्या सरकार का विचार है कि गया तथा उसके निकटवर्ती क्षेत्रो मे रहने वाले यात्रियो से उक्त कर वसूल न किया जाये ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) जी हाँ । लेकिन, संलग्न विवरण मे उल्लिखित मामलो मे कर नही लगाया जाता ।

(ख) यह कर लाजिंग हाउस कमेटी के लाभ के लिए, बिहार तीर्थ-यात्रा स्थल अधिनियम, 1920 के अन्तर्गत लगाया जाता है ।

(ग) कर मे छूट दन के प्रश्न पर विचार करन के लिए रेल मंत्रालय सक्षम नही है ।

विवरण

नीच लिखे मामलो मे कर नही लगाया जाता —

(1) (क) गया और पटना-गया शाखा लाइन के नदौल-चारन्द खण्ड के स्टेशनो के बीच (ख) गया और गया-मुगलसराय लाइन के कप्ठा-जाखिम खण्ड क स्टशनो के बीच (ग) गया और गया आमनसाल लाइन गमडी-मानपुर खण्ड के स्टशना के बीच तथा (घ) गया और साउथ बिहार लाइन के तिलैया-पैमार खण्ड के स्टशना के बीच यात्रा करने वाले यात्रिया पर ।

(2) मासिक टिकटो पर यात्रा करने वाल लागो पर ।

(3) सरकारी उच्चाधिकारियो के लिए विशप गाडियो पर और ढुलाई दरो पर यात्रा करन वाल सरकारी कर्मचारियो पर और अपन वाहनो मे, जिसके लिए ढुलाई दर ली जाती है, यात्रा करने वाले अन्य लोगो पर ।

केन्द्रीय जल तथा विद्युत् आयोग का विकेन्द्रीकरण

8012. **श्री ईश्वर चौधरी :**
श्री यमुना प्रसाद मडल

क्या सिचाई और विद्युत् मत्री यह बताने की कृपा करेंगे कि

(क) केन्द्रीय जल तथा विद्युत् आयोग मे

कितने निदेशालय तथा अनुभाग है और उनके कृत्य क्या है,

(ख) क्या उक्त आयोग के विभिन्न तकनीकी निदेशालयो का प्रशासनिक कार्य एक प्रशासनिक विभाग मे केन्द्रित किया गया है, और

(ग) यदि हाँ, तो निभिन्न निदेशालयो को प्रशासनिक अधिकार देने तथा आयोग के प्रशासन मे सुधार लाने हेतु क्या कार्यवाही का गई है ?

सिंचाई और विद्युत मंत्रालय मे उप-मन्त्री (श्री बंजनाथ कुरील) : (क) केन्द्रीय जल और विद्युत् आयोग के जल और विद्युत् स्कधो मे 43 तकनीकी निदशालय, एक सचिव और 27 अनुभाग है। तकनीकी निदेशालयो मे देश के जल और विद्युत् ससाधनो के आयोजन, अभिकल्पन, विकास और नियमन के विभिन्न पहलुओ से सबंधित कार्य होता है। जहाँ तक अनुभागो का संबध है, उनमे सिब्बन्दी, लेखा, बजट और व्यवस्था से सबंधित कार्य होता है।

(ख) जल और विद्युत् स्कधो मे प्रत्येक मे एक-एक प्रशासनिक यूनिट है।

(ग) वर्तमान प्रबन्धो को उपयुक्त समझा गया है।

Shortfall of Clerks and Typists In Divisional offices (Western Railway)

8013. SHRI CHANDRIKA PRASAD : Will the Minister of RAILWAYS be pleased to state .

(a) whether there is any proportion fixed between the posts of Typists, Clerks and other Clerks in Divisional offices Western Railway ,

(b) if so, the proportion so fixed,

(c) whether the strength of Typists is less in certain Divisional Offices; and if so, the names of the Divisional Offices, and

(d) the steps taken or proposed to be taken by Government in this regard ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) . (a) to (d). The information is being collected and will be laid on the Table of the Sabha.

Plight of Bihar Weavers

8014 SHRI BHOGENDRA JHA Will the Minister of FOREIGN TRADE be pleased to state .

(a) whether weavers in Bihar and particularly in the District of Darbhanga are under going unprecendented hardship due to an acute shortage and high cost of yard and lack of easily accessible market for handloom products, and

(b) if so, the action being taken to give them relief ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) (a) and (b) Handloom weavers have had to contend with the rise in prices of cotton and staple fibre yarn This is not peculiar to Bihar, but to weavers all over the country.

Supplies of cotton yarn for meeting Partially the requirements of the handloom sector at fixed prices were arranged, under the Yarn Pool Scheme, from February 1971 onwards Also,due to the abundant cotton crop in 1971-72, the prices of cotton yarn have come down in 1972 and are expected to attain normal levels within the next few months In the case of staple fibre yarn, as a result of discussions Government had with the spinners, they have agreed to sell all their production at agreed prices in the open market in various States.

As regards lack of market for goods produced by weavers in Darbhanga, etc , the Central Government have no information. It is for the Government of Bihar to arrange for the marketing of the products of the weavers in Bihar.

Drinking Water Facilities for Gangmen between Ramgarh and Bilaspur Stations (South Eastern Railway)

8015 SHRIMATI MINIMATA AGAMDAS Will the Minister of RAILWAYS be pleased to state

(a) whether the Gangmen working on the lines between Ramgarh and Bilaspur Railway Stations have to bring drinking water from a distance of three or four kilometres, and

(b) whether Government propose to make available the drinking Water to the Gangmen near their places of residence ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) Presumably, the reference is to Raigarh-Bilaspur Section of South Eastern Railway Water is being supplied to the gangmen at the site of work through watermen who have been specially kept for this purpose

(b) Adequate arrangments for supplying drinking water exist at almost all places near their places of residence

Retrenchment of Casual Labourers Consequent on Transfer of work to Private Contractors, Bilaspur division (South Eastern Railway)

8016 SHRIMATI MINIMATA AGAMDAS Will the Minister of RAILWAYS be pleased to state

(a) whether hundreds of Casual labourers working on daily wages for the last many years in Bilaspur Division and Kargi Road Station in particular have been renderd jobless during the last six months,

(b) if so, the reasons therefor,

(c) whether the work relating to repairs of railway buildings, minor earth work and other permanent works construction of road, building of railway lines, which was previously done by the Department itself has been entrusted for execution to private contractors, and

(d) if so, the reasons therefor and the steps Government propose to take to reemploy the retrenched workers ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) and (b) 1116 casual labourers were discharged due to completion of works on which they were engaged

(c) No

(d) Does not arise

बिलासपुर डिवीजन (दक्षिण पूर्व रेलवे) में चतुर्थ श्रेणी के अनुसूचित जाति के कर्मचारियों की तृतीय श्रेणी मे पदोन्नति

8017 **श्रीमती मिनिमाता अगमदास** क्या **रेल** मंत्री यह बताने की कृपा करेंगे कि

(क) क्या दक्षिण पूर्व रेलवे के बिलासपुर डिवीजन मे चतुथ श्रेणी के अनुसूचित जाति के रेलवे कमचारियो का रेलवे प्रशासन ने वहाँ के लिए निर्धारित प्रतिशतता के अनुसार तृतीय श्रेणी मे पदान्नति नही दी है, और

(ख) यदि हा, तो इसके क्या कारण है ?

रेल मत्री (श्री के० हनुमन्तैया) (क) और (ख) वर्तमान नियमो के अनुसार रेलो पर चौथी श्रेणी म तीसरी श्रेणी मे पदोन्नति के लिए अनुसूचित जातियो और अनुसूचित जन जातियो के लिए आरक्षण कोटा ग्राह्य नही है ।

Exports of Grapes

8018 SHRI BIBHUTI MISHRA Will the Minister of FOREIGN TRADE be pleased to state

(a) whether Government are contemplating to export grapes to foreign countries, and

(b) if so, the quantum of exports proposed and its future prospects ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A C GEORGE) (a) and (b) Yes, Sir Some trial consignments were sent to West European countries in the last two years During the present year also, we are planning to send some more trial consignments Future prospects of export of grapes can be judged only after we have assessed the results of these trial consignments

गुन्टकल-मैसूर रेल कार सेवा आरम्भ करना

8019 **श्री विभूति मिश्र** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या गुन्टकल-मैसूर रेल कार सेवा 17 अप्रैल, 1972 से आरम्भ की गई है, और

(ख) यदि हां, तो क्या सरकार का विचार धरौना और नरकटियागंज के बीच तथा पहलेजाघाट और नरकटियागंज के बीच भी ऐसी ही सेवाएं आरम्भ करने का है ?

रेल मंत्री (श्री के० हनुमन्तैया) (क) जी हां, 16 4-1972 से मैसूर और गुन्टकल के बीच सप्ताह में तीन दिन चलने वाली एक डीजल रेल कार सेवा चालू की गयी है जिसका प्रमुख उद्देश्य ग्रीष्मकालीन यातायात की भीड़ को निकासी करना है।

(ख) जी नहीं।

Proposal to construct a Local Railway Station near about Kavinagar or Raj Nagar in Ghaziabad

8020 SHRI P V G RAJU Will the Minister of RAILWAYS be pleased to state

(a) whether Government have any proposal under consideration to construct a local Railway Station near about Kavinagar or Raj Nagar in Ghaziabad, and

(b) if so, the main features thereof ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) and (b) No. A proposal to provide a train halt between Guldhar and Ghaziabad stations was considered in January, 1972, but, could not be accepted as it would have affected the overall running time of trains in the section, which was already saturated The position has not changed since

Theft of New Railway Sleepers at Jaipur

8021 SHRI ONKAR LAL BERWA Will the Minister of RAILWAYS be pleased to state

(a) whether recently there occurred a theft of new Railway sleepers at Jaipur,

(b) whether Railway Employees are involved in this theft, and

(c) the persons apprehended in this connection and the action taken against them ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) Yes

(b) Not known at this stage as investigation is still in progress

(c) One outsider i e a non-Railway employee has so far been arrested in this connection, and the case is still under enquiry

Fatal Accidents on Railways

8022 SHRI JOYTIRMOY BOSU Will the Minister of RAILWAYS be pleased to state

(a) the number of Railway accidents resulting in 5 or more deaths from April, 1972, and

(b) the causes of accidents in each case ?

THE MINISTER OF RAILWAYS (SHRI K HANUMANTHAIYA) (a) and (b) From 1 4 1970 to 30 4 1972 there were 13 such accidents The causes of these accidents are given below

Cause	Number of accidents
Failure of railway staff	7
Fault of persons other than railway staff	4
Sabotage	1
Accidental	1
Total	13

Mass transfers of Station Masters and Assistant Station Masters, Lucknow Division (Northern Railway)

8023. SHRI RAJDEO SINGH : Will the Minister of RAILWAYS be pleased to state :

(a) whether 62 Station Masters, 222 Assistant Station Masters and 30 graded Assistant Station Masters were transferred recently in Lucknow Division of Northern Railway affecting thereby 150 stations; and

(b) if so, the reasons for transfers at such large scale ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes.

(b) On the Northern Railway there was a system of postings of Station Masters/ Assistant Station Masters according to classification of stations on the basis of traffic importance and availability of educational and medical facilities etc. Many postings due in accordance with this system were held over for about two years as the system itself remained temporarily in abeyance. It has been re-introduced recently resulting in these transfers which include a few transfers for administrative reasons as also on requests from employees.

Open Letter by Secretary, North Eastern Railway Mazdoor Union to Divisional Superintendent, Samastipur

8024. SHRI BHOGENDRA JHA : Will the Minister of RAILWAYS be pleased to state :

(a) whether any open letter containing certain demands has been addressed by the Secretary North Eastern Railway Mazdoor Union and others to the Divisional Superintendent, Samastipur, North Eastern Railway; and

(b) if so, Government's reaction thereto ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Two printed leaflets bearing the date 19.4.1972 have received from the unrecognised faction of the N. E. Railway Mazdoor Union.

(b) The matter is being looked into.

Command Area Development Scheme under Tungabhadra Project

8025. SHRI K. KODANDA RAMI REDDY : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether one third share of Andhra Pradesh out of the total amount sanctioned for the Command Area Development Scheme under Tungabhadra Project has been denied to Andhra Pradesh; and

(b) if so, the amount denied and the reasons for the same ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) and (b). The Ministry of Agriculture, who are in charge of the Command Development schemes, have reported that a scheme of integrated area development programme has been initiated in the Fourth Five Year Plan. Under this programme regulated markets would be located at suitable centres and all weather roads built to link them up with the surrounding production areas. The expenditure on these items would be met from the Central Sector and the schemes would be executed by the State Governments concerned. All other services and inputs (including improved administrative arrangements) necessary for integrated area development programme are required to be provided by the State Governments out of their own Plan provisions and this is a pre-condition for including any command area in the Central Sector programme.

2. The requirements of funds for this

programme to cover all the command areas of major and medium irrigation projects are very large The programme has, therefore, necessarily to be phased. Initially, Rs. 15 crores were provided in the Plan for taking up this programme in 10 selected irrigation commands. Tungabhadra command area in Mysore, and Nagarjunasagar and Pochampad command areas in Andhra Pradesh were included in the first ten projects.

3. As a result of the mid-term appraisal of the Fourth Five Year Plan and realising the importance of this programme in developing the command areas, an additional Plan provision of Rs. 10 crores has since been provided. It has now been decided to include a few more command areas and Tungabhadra command area falling in the State of Andhra Pradesh is one of them. The matter is now under correspondence with the State Government who have been asked to agree to provide all other necessary services (including improved administrative arrangements) and inputs out of their own Plan, in accordance with the pattern of the scheme.

Production of Exportable Commodities in Andhra Pradesh

8026. SHRI K. KODANDA RAMI REDDY : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the Export Commodities that are produced and manufactured in Andhra pradesh;

(b) the quantities of production and export of the aforesaid commodities from the State in 1970-71 and 1971-72 and the corresponding figures during the last two years; and

(c) the new measures proposed to step up the production of these traditional commodities and encourage the production of new export commodities like pepper, cloves, cardamom etc. in the State ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c). Information is being collected and will be laid on the Table of the House when received.

Irrigation Facility to Drought Affected Districts of Rayalaseema

8027. SHRI K. KODANDA RAMI REDDY : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether, in the proposed Ganga-Cauvery link-up scheme, there is any possibility of providing irrigation to the chronically drought affected Districts of Rayalaseema; and

(b) if so, to what extent this scheme will benefit Rayalaseema ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) and (b). Preliminary office studies carried out in the Central Water and Power Commission show that some waters of the Ganga could be transferred by a combination of pumped and gravity canals, making use of natural water courses and existing or proposed reservoirs where ever practicable. The waters of the Ganga and surplus waters of other intermediate basins are proposed to be conveyed to most of the drought affected districts already identified in the country by letting down waters in rivers *enroute* for transfer to drought affected areas lower down; or for pumping from proposed reservoirs in upper basins, by curtailing the releases to lower basins; and by pumping from the main link canal/river structures where necessary and when such exchange of waters is not possible.

It is hoped that the investigations of the project can be started in this year. These investigations will take about five to seven years. The details of the areas to be served in various regions will be known after these investigations are complete and the project finalised.

Centre's Approval to Irrigation Project in A. P.

8028. SHRI K. KODANDA RAMI REDDY : Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) whether the Gujuladine project (Kurnool District), Peddavagu project

(Chittoor District), Thogurupet scheme (Cuddapah District), Papaghim Reservoir (Anantapur and Cuddapah District) of Andhra Pradesh have been approved by the Planning Commission and the Central water and Power Commission; and

(b) the area to be irrigated by each of these schemes and the estimated expenditure to be incurred on them ?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI B. N. KUREEL) : (a) and (b). The Gajuladine project was approved in 1966 for irrigating 12,500 acres; the project was estimated to cost Rs. 96·36 lakhs.

The other schemes have not been sent by the Government of Andhra Pradesh to the Centre.

Payment of Ex gratia grants to Indian citizens whose properties were seized in Pakistan

8029. SHRI SEZHIYAN : Will the Minister of FOREIGN TRADE be pleased to state :

(a) the progress made m paying exgratia grants to the Indian citizens and firms whose properties in Pakistan have been taken over by Pakistan Government as enemy property ?

(b) how much money has so far been distributed;

(c) whether any criteria have been evolved to give full 25 per cent of the claims on the basis of merit and if so, what are the criteria; and

(d) the cases so far accepted for consideration under the criteria of merit ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) and (b). A total number of 166 claims involving a payment of Rs. 1,58,26,354 have so far been verified for payment of ex-gratia grant and a sum of Rs. 1,05,82,574 has been distributed to the various claimants.

(c) Yes, Sir. Some internal guidelines as to the factors which should be taken into account were agreed upon at an inter-departmental meeting of officials. In view of the many variables, it would not be in the public interest to disclose this information which is intended only for internal use.

(d) Four parties have so far requested for consideration of their claims on merit basis. The cases of two parties have been rejected. The cases of the remaining two are under consideration.

Alleged corruption in Judiciary

8030. SHRI R. S. PANDEY : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government's attention has been drawn to the Article published in the A. I. R. 1969 Journal under the caption 'Cancerous growth of corruption in Judiciary'; and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H.R. GOKHALE) : (a) Government have seen the Article published in the A.I.R. of 1969.

(b) The views expressed therein are the personal views of the author and Government have noted the views.

Different Charges for Retiring Rooms and Dormitory Type of Accommodation

8031. SHRI R. P. YADAV : Will the Minister of RAILWAYS be pleased to state :

(a) whether charges for retiring rooms and dormitory type of accommodation provided at various railway Stations are not uniform and differ widely from station to station; and

(b) if so, the reaction of Government thereto ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) The charges for occupation of Retiring Rooms including dormitory types are fixed by the zonal railways at a level which is reasonable with reference to the conditions in the locality and the facilities provided in the Rooms. As such the charges vary from station to station.

(b) Does not arise.

Strike in cashew factories in Kerala

8032. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of FOREIGN TRADE be pleased to state :

(a) whether over two lakh workers of cashew processing factories in different parts of Kerala went on a day's token strike;

(b) if so, the reasons for the strike, and

(c) the steps taken by Government to redress their grievances ?

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : (a) to (c). Government is not aware of any recent token strike in cashew industry. Information has been called for from the Government of Kerala and their report in the matter is awaited.

Casual Labourers working on Southern Railway

8033. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of RAILWAYS be pleased to state the number of casual labourers working on the Southern Railway ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : According to information as on 31.3.1972, 31,597 casual labourers were working on the Southern Railway.

Independent Railway Service Commission at Cochin for Candidates from Kerala

8034. SHRIMATI BHARGAVI THANKAPPAN : Will the Minister of RAILWAYS be pleased to state :

(a) whether candidates from Kerala applying for jobs in the Railways have to go to Madras or Bombay for interview before the Railway Service Commission; and

(b) if so, whether Government propose to set up an independent Railway Service Commission in Cochin for the people of Kerala ?

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : (a) Yes. However, in the case of certain popular categories like Ticket Collectors, Commercial Clerks, A. S. Ms. Clerks etc., Tests/Interviews are also held at places in Kerala State *viz.* Quilon, Olavakkot, Trichur and Trivandrum.

(b) No. It is not feasible to have one Railway Service Commission for each State.

रंगमहल और पीली बंगा (उत्तर रेलवे) के बीच एक नए रेलवे स्टेशन का निर्माण

8035 **श्री पन्नालाल बारूपाल** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या उत्तर रेलवे के बीकानेर डिवीजन के रंगमहल और पीलीबंगा रेलवे स्टेशनों के बीच एक नए रेलवे स्टेशन के निर्माण की माँग गत अनेक वर्षों से निरन्तर की जा रही है;

(ख) क्या उनके मंत्रालय ने पत्र संख्या 51 आर० डी० 444 दिनांक 18 अप्रैल, 1668 के द्वारा यह सूचित किया था कि स्टेशन के लिए पहले जो स्थान चुना गया था वह बदला नहीं जाएगा और स्टेशन का नाम अमरपुरा राठान होगा; और

(ग) यदि हाँ, तो वहाँ पर स्टेशन न बनाने के क्या कारण है ?

रेल मंत्री (श्री के० हनुमन्तैया) : (क) जी हाँ ।

(ख) जी हाँ ।

(ग) जिस स्थान का प्रारम्भ में सुझाव

दिया गया था, वहाँ पर एक हाल्ट खोलने का प्रस्ताव था लेकिन इसी बीच उस स्थान को बदलकर चक न० 34 एस० टी० जी० का एक नया प्रस्ताव आया। इस नये प्रस्ताव की जाँच की गयी और ज्ञात हुआ कि चूंकि यह स्थान, राजस्थान नहर पर बनाये जा रहे पुल के पास है, अतः मिट्टी डालने में भारी खर्च होगा और वित्तीय दृष्टि से इस प्रस्ताव का कोई औचित्य नहीं है। उसके बाद रेल प्रशासन द्वारा इस स्थल से एक किलोमीटर से कम दूरी पर एक नया स्थान प्रस्तावित किया गया क्योंकि वहाँ पर बहुत कम खर्च होता। लेकिन, आग्रह था कि यदि 126/68 कि० मी० अर्थात चक न० 34 एस० टी० जी० पर स्टेशन नही खोला जा सकता तो बेहतर होगा कि मूल प्रस्ताव के अनुसार अमरपुरा राठान पर स्टेशन न खोला जाय। चूंकि इससे रेल प्रशासन को भारी आवर्तक वित्तीय हानि होती, अतः यह प्रस्ताव स्वीकार नहीं किया जा सका।

अभ्रक उद्योग में संकट

8036. **श्री शंकर दयाल सिंह** : क्या **विदेश व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हाल में अभ्रक उद्योग संकट में रहा है;

(ख) क्या उक्त उद्योग को वर्तमान संकट से बचाने के लिये सरकार ने कोई आवश्यक निदेश जारी किये हैं; और

(ग) क्या इस सम्बन्ध में सरकार को बिहार सरकार का कोई ज्ञापन प्राप्त हुआ है ?

विदेश व्यापार मंत्रालय में उप-मंत्री (श्री ए० सी० जार्ज) : (क) से (ग). खनन तथा अभ्रक के आन्तरिक व्यापार के राष्ट्रीयकरण के संबंध में आशंकायें व्यक्त की गई थी। इस बीच यह स्पष्ट कर दिया गया है कि इसका आशय यह है कि खनिज तथा धातु व्यापार निगम को बाजार मे प्रवेश करना चाहिए और लघु निर्यातकों, साधित करने वालों तथा खानों के मालिकों से अभ्रक खरीद कर स्वयं उसका निर्यात करना चाहिए।

कांडला पत्तन में किया जाने वाला वार्षिक व्यापार तथा नये निर्बाध व्यापार क्षेत्र के लिए कार्यवाही

8037. **श्री जगन्नाथ राव जोशी** : क्या **विदेश व्यापार** मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों मे वर्षवार कांडला पत्तन के निर्बाध व्यापार क्षेत्र मे कितना व्यापार हुआ; और

(ख) व्यापार के विकास के लिए तथा देश में नये निर्बाध व्यापार क्षेत्र स्थापित करने के लिए क्या कार्यवाही की जा रही है ?

विदेश व्यापार मन्त्रालय में उप-मन्त्री (श्री ए० सी० जार्ज) : (क) विगत तीन वर्षों के दौरान कांडला मे निर्बाध व्यापार क्षेत्र द्वारा किए गए व्यापार की मात्रा निम्नोक्त प्रकार है.—

वर्ष	आयात		निर्यात	
	मात्रा (किग्रा)	मूल्य (रु०)	मात्रा (किग्रा)	(मूल्य रु०)
1969-70	3,67,192	52,45,178	2,46,885	58,02,063
1970-71	7,35,381	46,52,153	2,39,989	34,46,445
1971-72	2,55,853	28,76,789	6,70,031	81,46,027

(ख) व्यापार बढ़ाने के लिए सरकार द्वारा उठाए गए कदम इस प्रकार हैं :

(1) क्षेत्र में उद्योगो को स्थापित करने से सम्बन्धित मामलों पर शीघ्रतापूर्वक निर्णय लेने के

लिए कांडला निर्बाध व्यापार क्षेत्र समिति नामक एक स्थायी उच्च शक्ति सम्पन्न समिति स्थापित की गई है।

(2) उद्योग (विकास तथा विनियमन) अधिनियम, 1951 के अन्तर्गत औद्योगिक लाइसेंस मांगने के आवेदन-पत्रों पर विचार करने के लिए एक सरलीकृत क्रियाविधि तैयार की गई है। इस पुनरीक्षित क्रियाविधि के अन्तर्गत सभी आवेदन-पत्रों पर कांडला निर्बाधि व्यापार क्षेत्र समिति द्वारा विचार किया जाता है और उन्हें अनुमोदन के लिए सीधे ही लाइसेंस समिति के पास भेज दिया जाता है।

(3) कांडला निर्बाध व्यापार क्षेत्र समिति को क्षेत्र में 10 लाख रु० तक के मूल्य के पूंजीगत माल के आयात के लिए आवेदन-पत्रों को निपटाने की शक्तियां प्रत्यायोजित कर दी गई हैं।

(4) विपणन विकास निधि से सहायता अनुदानों के प्रयोजनार्थ क्षेत्र में उद्योगों को निर्यात सदनों के बराबर मानने का विनिश्चय किया गया है।

(5) क्षेत्र में और अधिक उद्यमकर्त्ताओं को उद्योग स्थापित करने के लिए आकर्षित करने हेतु विज्ञापन तथा दृष्य प्रचार निदेशालय के माध्यम से पत्र-पत्रिकाओं मे उपयुक्त विज्ञापनों के द्वारा प्रचार की भी व्यवस्था की जा रही है।

नये निर्बाध व्यापार क्षेत्रों के प्रश्न पर कांडला में विद्यमान क्षेत्र की प्रगति को आंकने के बाद विचार किया जाएगा।

12 hrs

Re: QUESTION OF PRIVILEGE (*Query*)

SHRI JYOTIRMOY BOSU (Diamond Harbour) : May I make a submission, Sir ? what happened to the privilege question that I raised the other day about a particular officer, in this case the Managing Director of the national Industrial Development Corporation ? The matter comes within the purview of this House and the House should take cognizance of that. The Action-Taken Report is for those recommendations and suggestions that are there in the Report against different projects and other things. But this matter should not be mixed up. This matter should be sent to the Privileges Committee. This is two years old and we have had enough discussion on it.

MR. SPEAKER : I have fully studied it. I have seen the precedents also. When such remarks are made, that officer has a right to appeal to the Committee. The Government has a right to explain the position to the Committee. Then, after the Action-Taken Report comes, we will take cognizance of it. I have fully studied this mattter.

12 02 hrs.

EXTENSION OF SESSION

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : Sir, this morning, the leaders of the Opposition partien held a meeting with the Minster of Educatioa and other Ministers and a Suggestion was unanimously accepted that some more time should be given for the study of the Aligarh Muslim University Amendment Bill. In fact, it was my suggestion that if more time was needed we should certainly consider it. The Education Minister was good enough to say that if that was done, it would be acceptable to him. There was a consensus of opinion that we may have one more day for study of the Bill. We do not want to give an impression that we are hustling through with the Bill. At the meeting many points of view were expressed but I am not speaking on the merits of the Bill. I am only requesting that the House may sit for one more day, so that full time may be given for the study of the Bill.

MR. SPEAKER : They have agreed. So far as one more day is concerned, you can have as many days as you like. I am prepared to preside over it.

SHRI JYOTIRMOY BOSU : (Diamond Harbour) : You will be presiding over the

body only and not the soul of the House because we are already worn out and tired and we want to go home. We have already drawn up our programme to go back, reservations done, everything settled. Now, at the last moment, if the command is that the session should be extended by another day, we are at your command. But you will appreciate our difficulties also. Therefore, I suggest that they may keep the Bill pending till the next session or they agree to send it to the Joint Committee.

MR. SPEAKER : It is not my command. I am only commanding myself.

SHRI G. VISWANATHAN (Wandiwash) : When we proposed that the Session could be extended by one more day, you agreed, Sir, but the Minister did not agree and said that they wanted to attend the AICC meeting and all that. Now, all of a sudden, he says that we may sit for one more day.

MR. SPEAKER : He was not in a tight corner at that time. (*Interruption*)

SHRI PILOO MODY (Godhra) . I would like to know which are the so-called leaders he met. I do not see any party agreeing. May be, he met some members of his own party who are in the opposition. (*Interruption*)

SHRI JYOTIRMOY BOSU : Sir, we do not agree to the extension of the Session We feel that the Aligarh Muslim University Bill could be discussed fully and well in the next Session unless they agree to send it to the Joint Select Committee right now.

SHRI INDRAJIT GUPTA (Alipore) : I would like to know from my friend, Mr. Piloo Mody, whether Prof. Ruthnaswamy of the other House had left his party and joined Mr. Raj Bahadur.

SHRI PILOO MODY : I cannot understand what the Rajya Sabha has to do with the business of the Lok Sabha When I made the previous allegation that it must be members of the Congress in opposition to their own party, I included Mr. Indrajit Gupta.

श्री अटल बिहारी वाजपेयी : (ग्वालियर) : अध्यक्ष जी, मेरा नाम लिया गया है, इसलिए मै स्थिति को साफ करना चाहूँगा । आज सवेरे जो बैठक हुई, उसमें यह माँग की गई थी कि यह बिल सिलैक्ट कमैटी को भेज दिया जाय, लेकिन सरकार ने इस बारे में अपनी असमर्थता प्रकट की । तब यह सवाल आया कि बिल को हम ता० 31 को डिस्कस करके पास कर दें या उसके लिए अधिक समय देकर ता० 1 को बैठा जाय । उसके बाद यह मान लिया गया कि ता० 31 को जल्दी मे पास करने के बजाय थोड़ा सा अधिक समय मिले और ता० 1 को इस पर चर्चा हो, लेकिन सिलैक्ट कमैटी को भेजने की हमारी माँग अभी कायम है ।

MR. SPEAKER : I think, it is all right. We shall sit on 1st June also.

SHRI PILOO MODY : You may sit, but not we.

MR. SPEAKER : I think, we will not be able to sit without you. You must come.

12 07 hrs

PAPERS LAID ON THE TABLE

REVIEW OF ANNUAL REPORT AND DIRECTORS' REPORT ETC OF ORISSA ROAD TRANSPORT CO , LTD , AND TRIENNIAL REVIEW OF RESEARCH DESIGNS AND STANDARDS ORGANISATION

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : On behalf of Shri K. Hanumanthaiya, I beg to lay on the Table :

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :

(i) Review by the Government on the working of the Orissa Road Transport Company Limited, Berhampur (Ganjam) for the year 1969-70.

[Shri Mohd. Shafi Qureshi]

(ii) Annual Report of the Orissa Road Transport Company Limited, Berhampur (Ganjam), for the year 1969-70.

(iii) Directors' Report and statement of accounts for the year 1969-70 of the Orissa Road Transport Company Limited, Berhampur (Ganjam) and the comments of the Comptroller and Auditor General thereon.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [*Placed in Library. See* No. LT—3094/72.]

(3) A copy of the Triennial Review (Hindi and English versions) of the activities of Research Designs and Standards Organisation in respect of important Railway problems connected with the Track, Rolling Stock, Signalling etc from April, 1968 to March 1971. [*Placed in Library. See* No. LT - 3095/72]

NOTIFICATIONS UNDER CUSTOMS ACT AND CENTRAL EXCISE RULES

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : On behalf of Shri K R Ganesh, I beg to lay on the Table :

(1) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 :—

(i) G.S.R. 561 published in Gazette of India dated the 13th May, 1972 together with an explanatory memorandum.

(ii) G.S.R. 614 published in Gazette of India dated the 20th May, 1972 together with an explanatory memorandum. [*Placed in Library. See* No. LT—3096/72]

(2) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944 :—

(i) G.S.R. 558 published in Gazette of India dated the 13th May, 1972 together with an explanatory momorandum.

(ii) G.S.R. 559 published in Gazette of India dated the 13th May, 1972 together with an explanatory memorandum.

(iii) G S.R. 560 published in Gazette of India dated the 13th May, 1972 together with an explanatory memorandum. [*Placed in Library See* No. LT—3097/72.]

REVIEW AND ANNUAL REPORT OF MODERN BAKERIES (INDIA) LTD.

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE (SHRI JAGANNATH PAHADIA) : On behalf of Shri Annasaheb P. Shinde, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :—

(1) Review by the Government on the working of the Modern Bakeries (India) Limited, New Delhi, for the year, 1970-71.

(2) Annual Report of the Modern Bakeries (India) Limited, New Delhi for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT—3098/72.]

EXPORT OF NON-BALED COIR YARN (INSPECTION) RULES, NOTIFICATIONS UNDER COFFEE ACT AND REVIEW AND ANNUAL REPORT OF EXPORT CREDIT AND GUARANTEE CORPORATION, LTD., BOMBAY

THE DEPUTY MINISTER IN THE MINISTRY OF FOREIGN TRADE (SHRI A. C. GEORGE) : I beg to lay on the Table—

(1) A copy of the Export of Non-baled Coir Yarn (Inspection) Rules, 1972 (Hindi and English versions) published in Notification No. S. O. 1131 in Gazette of India dated the 13th May, 1972 under sub-section (3) of section 17 of the Export (Quality Control and Inspection) Act, 1963. [*Placed in Library. See* No. LT—3099/72.]

(2) A copy each of the following Notifications (Hindi and English versions) issued under the Coffee Act, 1942:—

(i) G.S.R. 491 published in Gazette of India dated the 29th April, 1972.

(ii) G.S.R, 492 published in Gazette of India dated the 29th April, 1972. [*Placed in Library. See* No. LT—3100/72.]

(3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :—

(i) Review by the Government on the working of the Export Credit and Guarantee Corporation Limited, Bombay, for the period 1st January, 1970 to 31st December, 1970.

(ii) Annual Report of the Export Credit and Guarantee Corporation Limited, Bombay, for the period 1st January, 1970 to 31st December, 1970 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT—3101/72.]

Supplement to views of the Railway Ministry on Parts I and II of Railway Accidents Inquiry Committee Report

SHRI MOHD. SHAFI QURESHI : I beg to lay on the Table a copy of the Supplement (Hindi and English versions) to the views of the Ministry of Railways (Railway Board) on Part I and Part II, of the Report of the Railway Accidents Inquiry Committee, 1968. [*Placed in Library. See* No. LT—3102/72.]

Statements showing action taken by Government on assurances etc. given by Ministers during sessions

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND) : I beg to lay on the Table following statements showing the action taken by Government on the various assurances promise and undertakings given by the Ministers during the various sessions of Lok Sabha :—

FOURTH LOK SABHA

(i) Statement No. XXXII	Seventh Session, 1969.
(ii) Statement No. XXI	Eighth Session, 1969.
(iii) Statement No. XX	Ninth Session, 1969.
(iv) Statement No. XXII	Tenth Session, 1970.
(v) Statement No. XIII	Eleventh Session, 1970.
(vi) Statement No. XII	Twelfth Session, 1970.

FIFTH LOK SABHA

(vii) Statement No. XIII	Second Session, 1971.
(viii) Statement No. V	Third Session, 1971.
(ix) Statement No. II	Fourth Session, 1972.

[*Placed in Library. See* No. LT—3103/72.]

REVIEWS AND REPORT OF ENGINEERS INDIA LTD., BOMBAY, MADRAS REFINERIES LTD, MADRAS AND LUBRIZOL INDIA LTD., BOMBAY

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI DALBIR SINGH) I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 —

(1) (i) Review by the Government on the working of the Engineers India Limited, Bombay for the year 1970 71

(ii) Annual Report of the Engineers India Limited, Bombay for the year 1970-71 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [*Placed in Library See* No LT—3104/72]

(2) (i) Review by the Government on the working of the Madras Refineries Limited, Madras, for the year ended the 30th June 1971

(ii) Annual Report of the Madras Refineries Limited, Madras, for the year ended the 30th June, 1971 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [*Placed in Library See* No LT—3105 72]

(3) (i) Review by the Government on the working of the Lubrizol India Limited, Bombay, for the year 1969-70

(ii) Annual Report of the Lubrizol India Limited, Bombay, for the year 1969-70 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [*Placed in Library See* No LT—3106/72]

12.08 hrs

ESTIMATES COMMITTEE

MINUTES

SHRI K N TIWARY (Bettiah) I beg to lay on the Table Minutes of the sittings of the Estimates Committee relating to Nineteenth and Twentieth Reports of the Committee and General Matters

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12.09 hrs

MESSAGE FROM RAJYA SABHA

SECRETARY Sir, I have to report the following message received from the Secretary of Rajya Sabha —

"I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Monday, the 29th May, 1972, adopted the following motion in regard to the presentation of the Report of the Joint Committee of the Houses on the Code of Criminal Procedure Bill 1970

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Code of Criminal Procedure Bill, 1970, be further extended upto the last day of the Eighty-first Session of the Rajya Sabha"'

— —

12.10 hrs

MATTERS UNDER RULE 377

(1) PROPOSED SHIFTING OF THERMAL POWER STATION FROM KATIHAR

श्री ज्ञानेश्वर प्रसाद यादव (कटिहार) : अध्यक्ष महोदय, बिहार राज्य के कटिहार मे थर्मल पावर स्टेशन प्लान्ट बनाने की केन्द्रीय सरकार की योजना पूर्ण हो चुकी थी। स्थल का चयन भी हो चुका था, प्रोजेक्ट प्लान्ट भी बन चुका था। न मालूम किस कारण से उस थर्मल पावर स्टेशन को जो उत्तर बिहार क्षेत्रों का विद्युतीकरण करने के लिए, कृषि का विकास

तथा लघु उद्योगों का जाल बिछाने के लिए सहायता प्रदान करता, बिहार से हटाकर पश्चिम बंगाल के डालकोला स्थान पर लगाने का निर्णय केन्द्रीय सरकार ने ले लिया। इस हेतु 11 मई को पूरा कटिहार बन्द रहा। बिहार विधान सभा मे ध्यानाकर्षण सूचनायें दी गईं और बिहार विधान परिषद मे भी ध्यानाकर्षण सूचनाऐं दी गई। वहाँ विद्युत मंत्री श्री जगन्नाथ मिश्र ने कहा कि हमको इस बात की कोई जानकारी नही है। 11 मई को मैंने माननीय विद्युत मंत्री डा० के० एल० राव को पत्र दिया कि बिहार के साथ इस प्रकार सौतेली माँ का व्यवहार क्यों हो रहा है? बिहार में जो इस प्रकार की केन्द्रीय सरकार की योजनायें थी उनको बदल कर दूसरे राज्यों को देकर क्या केन्द्रीय सरकार बिहार और बंगाल के लोगों की भावना को भड़का कर आपस में लडाना चाहती है जिस प्रकार की मैसूर और महाराष्ट्र में सीमा विवाद हुआ? (व्यवधान)...

मै आपके द्वारा निवेदन करना चाहता हूँ कि केन्द्रीय सरकार इसके विषय में स्पष्टीकरण दे कि बिहार सरकार की गलतियो के कारण ऐसा हुआ है अथवा केन्द्रीय सरकार की नीति मे ऐसी कोई बातें है जिससे कि इसको बिहार से बदलकर पश्चिम बंगाल को देने की बात की गई है?

THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO): The hon. Member does not have the facts. Power production is done by the States more generally. Only in certain cases the Centre steps in. Bihar Government wants to have a power station at katihar. We have no objection at all. We can sanction it just as we have approved a thermal station at Muzzafarpur in North Bihar. It is not a question of sanctioning the project; it is a question of finding finance for it so that power may be made available early. Both North Bihar and North Bengal are very backward in power. As I said earlier our anxiety is to see that power station is set up in this region so that early power may be available for needy areas. I am sorry the hon. Member feels agitated on this. The project is not yet accepted. The idea is that of the Ministry of Irrigation and power only, namely, to finance such projects by the Centre. We have investigated the project. Our engineers have gone round and they found Dalkola to be a suitable place. Here a power station can be set up of 240 M. W. and power will be distributed equally between Bihar and Bengal. There is one other reason for Dalkola to be selected; it is likely that we may have to supply power to Bangladesh.

श्री ज्ञानेश्वर प्रसाद यादव: यदि यह कुठेरा में ही रहे तो उससे बंगाल को भी बिजली मिलेगी और बिहार को भी मिलेगी। यह स्थान बदलने के पीछे राजनीतिक कारण हैं।

DR. K. L. RAO: This area will be nearest to Bangladesh and it is likely that we may supply to Bangladesh on reciprocal basis. We are trying to get power from them to serve Tripura and Mizoram areas. When Dalkola comes up, all these needs will be met. We should not make too much noise as otherwise the undertaking of the project by the Centre may not materialise. It is very difficult for the Ministry to convince the Central Government and the Planning Commission that we should finance it from the Centre If Bihar wants a power station, it can be very easily sanctioned, because there is necessity for power in North Bengal and North Bihar; in fact, tomorrow, it can be sanctioned and there will be no difficulty. But the main point here is that we want to see that this project is done under the Government of India's aegis, the idea being that then it will come into utilisation much earlier and we shall be able to supply power in four years, whereas if it is left to the State, then I am afraid it would take about ten years. That is the whole idea. That was why we in the Ministry of Irrigation and power thought it much better to have the power station done by the Government of India at a place common to both. But what is wrong about it in after all power goes this way and that way. There is a large part of Bihar, cast of Katihar etc. Which I know very well, which is bereft of power All that area will be served by this power station. I do not know why there is unnecessary excitement over this matter. After all, power goes in all directions. I would submit that in respect of power at least, there should be no excitement.

(ii) IRREGULARITIES IN INDIAN INSTITUE OF TECHNOLOGY, DELHI

SHRI SAMAR GUHA (Contai) I want to draw your attention to the very serious reportes that have appeared in different news-papers all over the country together with editorial comments about the scandalous state of affairs which is going on in the Indian Institute of Technology, in Delhi

The allegations are there that the Delhi IIT authorites have turned it into a mini kingdom of crude authoritarianison, corruption and favouritism, squandering of crores of rupees of Government funds, flagrant violation of promotion and selection rules for teachers and employees large-scale victimisation of employees, and above all disdainful disregard for the principle of maintaining accounts of Central Government funds

The AGCR has passed strictures after strictures against the management of not maintaining the inventory of even the consolidated assets registers worth Rs 2 77 crores Also, some directive was given by the Education Ministry to maintain accounts for Rs 44 lakhs messing charge, but they have cared a hoot for it

You will be astonished to know that a professor of engineering has been appointed head of the Department of Humanities You will be astonished further that a particular protege of the authority at the time of appointment has been given 23 increments

There have been many other irregularities Even against the director, there has been a stricture by the Delhi High Court of moral turpitude also

I would also like to point out that there are three air-conditioned electronically fitted auditoria, and yet there is another auditorium being built worth several lakhs of rupees and of an ultra-modern type.

There is one guest-house already, even 21 per cent of it capacity is not being utilised but at a cost of more than Rs. 7 lakhs, another guest-house has been constructed

Further, 60 percent of the class III and class IV employees have been victimised during the last 12 years I would submit that the Government of India should make a statement I want to know whether Government are going to institute an inquiry into these serious allegations. Otherwise, the tragedy of the IARI and things like that would be repeated here, unless the scandalous affairs in the I I T. are immediately inquired into, they will be repeated here also

SHRI ATAL BIHARI VAJPAYEE (Gwalior) There should be a high-level inquiry into the allegations made by the hon Member The state of affairs in the institute is a very deplorable

SHRI S M BANERJEE (Kanpur) The hon Minister has instituted an inquiry into the IIT, Kanpur and that is going on Therefore, I would request him to set up an inquiry into the scandalous affairs which prevail in Delhi IIT also .

SHRI PILOO MODY (Godhra) it will go on in every institute, as long as this Government is in power

SHRI ATAL BIHARI VAJPAYEE . It was also discussed by the Public Accounts Committee and they have given their findings against them

MR SPEAKER The hon Minister may look into it

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF S NURUL HASAN) The statement that Shri S M Banerjee has made that Government have instituted an inquiry into the affairs of Kanpur IIT is not factually correct Government have not ordered any inquiry

SHRI S M BANERJEE I am sorry the inquiry is not by Government but by the Chairman *(Interruptions)*

MR SPEAKER If you are speaking, and the other Members do like that, will you be able to reply ? You are asking the Minister to reply, and at the same time three or four of you are talking, and shouting rather How can he reply, and how can he attend to it ? It is very unfair

PROF. S. NURUL HASAN : So far as the Indian Institute of Technology, Delhi, is concerned, its audit report is regularly pleased on the Table of the House. As hon. Members know very well, the procedure of audit party raises certain matters, what are commonly called audit objections. To those, the governing body and the authority concerned gives a reply. After considering those replies, the Accountant-General, Central Revenues, takes a decision and draws the attention of all concerned to it. So, as soon as the final audit report is received by Government, the Government will give due consideration to any point that is made there.

SHRI SAMAR GUHA : How does he say that everything is known to us ? What about the strictures ?

SHRI PILOO MODY : Every company has got an audit, and it whitewashes the audit. And yet, *chori* is going on in every conceivable corner of this country.

MR. SPEAKER : I will have to ask Mr. Mody to get up when he wants to speak. It is a very easy thing to go on speaking, while sitting.

SHRI ATAL BIHARI VAJPAYEE : My submission is that you can ask the Public Accounts Committee to go into these affairs of the IIT. That can be done (*Interruption*)

MR. SPEAKER : I cannot give any off-hand reply. It is for the Public Accounts Committee themselves.

SHRI ATAL BIHARI VAJPAYEE : A directive from the Speaker can be given.

SHRI S. M. BANERJEE : They can go into this matter (*Interruption*). I want to say a few words on this subject.

MR. SPEAKER : I have not allowed any debate.

SHRI BHAGWAT JHA AZAD (Bhagalpur) : The Minister has made a statement. It is very good that every year the audit of these accounts is done. But may I tell him that there is a very simple thing ? That is, is it not a fact that in spite of Ministry's orders to put before the Committee the mess accounts to the extent of Rs. 25 lakhs, up till now the IIT has not done that ? They do not care to put it before the audit. How can the audit come out with the facts ?

MR. SPEAKER : All your views can be conveyd to them.

SHRI BHAGWAT JHA AZAD : If they want to terrorise the staff and punish them, they will be gheraoed and they will get he lesson of their life—Mr. Dogra.

SHRI S. M. BANERJEE : Shri Vajpayee has suggested that this matter may kindly be referred to the Public Accounts Committee. They can look into it. Many reports are laid here on the Table of the House, This is a subject which is completely within the purview of the Central Government and Parliament. I request the Chairman of the P. A. C., through you, to go into the matters of the IIT, Delhi and Kanpur. Let the Public Accounts Committee go into them.

MR. SPEAKER : I am sorry that sometimes the suggestions come which are very embarrasing. Mr. Vajpayee himself has been the Chairman of the P. A. C., and when this suggestion comes from him, it is still more embarrassing for me. He has experience of the past so many years; did ever refer to him any matter like this ? (*Interruption*)

SHRI ATAL BIHARI VAJPAYEE : Sir, I do not agree with you there. I only made suggestion to you. (*Interruption*)

MR. SPEAKER : They can take cognizance of any matter they like. The other Chairman who followed Shri Vajpayee is also a member of the Opposition. Have I ever referred any matter to the P A C. ?

SHRI ATAL BIHARI VAJPAYEE : So what ?

SHRI S. M. BANERJEE : Just to refresh my own memory, the Speaker referred the barrel industy to the P. A. C.

SHRI BHAGWAT JHA AZAD : If it is the wish of the House, it may be referred to the P. A. C. As members we can do it. You

[Shri Bhagwat Jha Azad]

being the Speaker and being in overall control of all the three Committes can do it. This is an important and we should do it.

SHRI S. M. BANERJEE : May I only remind you of one thing ? One was about the road-roller manfacture, and when there was a scandalous affair going on it was referred to the P.A.C. and another was the barrel industry.

SHRI SAMAR GUHA : If it is in the largest interest, it should be referred.

MR. SPEAKER : Nothing prevents the Committee to take up the matter itself.

SHRI SEZHIYAN (Kumbakonam) : This morning we had the first meeting of the P.A.C. and we have chalked out the programme for the year. We are taking IIT, Delhi for investigation.

SHRI S. M. BANERJEE : Take up Kanpur IIT also.

SHRI SAMAR GUHA : Let the Minister complete.

MR. SPEAKER : When we have members like you, there is no need for Ministers at all. They will not allow them to speak.

I think, a good Mr. Sezhiyan has said. What I meant was that nothing prevents any committee to take up any subject which is withhin their Jurisdiction, and also we should avoid forcing the committees to take up anything. It is upto them. We cannot force them.

SHRI ATAL BIHARI VAJPAYEE : If you do not want to do it, that is a different matter. But you have the power, you have the authority. You cannot deny it.

MR. SPEAKER : When I use my power, you protest against it. And when I don't use it, you say, 'Why don't you use that power ?' Next item. Prof. Nurul Hassan.

SHRI BHOGENDRA JHA (Jainagar) : May I know what happened to that ?

12.28 hrs.

UNTOUCHABILITY (OFFENCES) AMENDMENT AND MISCELLANEOUS PROVISIONS BILL—*Contd*

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) : Sir, I beg to move :

> "That the debate on the motion 'that the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, be taken into consideration' which was adjourned on the 23rd May, 1972, be resumed now."

MR. SPEAKER : The question is :

> "That the debate on the motion 'that the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, be taken into consideration' which was adjourned on the 23rd May, 1972 be resumed now."

The motion was adopted.

MR SPEAKER : This is a solitary instance that happend. I don't think any such case happened in the past. It should not be repeated in future. Then the Bill was taken up, it was abruptly postponed and then another motion that the discussion be resumed had to be moved. This is very unusual. This should be done very rarely.

PROF. S. NURUL HASAN : I express my sincere regret for having.

MR. SPEAKER : I only wish that you should not do any more.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : That should have come from the Minister for Parliamentary Affairs.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : I do express my regret. I was instru-

mental at the instance of the Members of the House belonging to Scheduled Castes... (*Interruptions*) They were all very much agitated about it. I am very sorry about it.

PROF. S. NURUL HASAN : I beg to move :

'That the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely—Shri Nathu Ram Ahirwar, Shri Chatrapti Ambesh, Shri Panna Lai Barupal, Shri R. D. Bhandare, Shri B. S. Bhaura, Shrimati B. Radhabai Anand Rao, Shri Chandrika Prasad, Shri Chhotey Lal, Shri Samar Guha, Shri Laxman Kakadya Dumada, Shri Subodh Hansda, Shri V. Mayavan, Shri Nageshwararao Meduri, Shri Ram Surat Prasad, Shri Anantrao Patil, Shri Dhan Shah Pradhan, Shrimati Sahodrabai Rai, Shri Ramkanwar, Shri Ajit Kumar Saha, Shri Shibban Lal Saksena, Shri Arjun Sethi, Shri Chandra Shailani, Shri Shambhu Nath, Shri Shankar Dev, Shri Nawal Kishore Sharma, Shri D. P. Yadav, Shri S. M. Siddayya, Shri Shankar Dayal Singh, Shri Somchand Solanki Shri Phool Chand Verma, and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee.

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parlimentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER : The question is :

"That the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Represenlation of the People Act. 1951, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—Shri Nathu Ram Ahirwar, Shri Chhatrapati Ambesh, Shri Panna Lal Barupal, Shri R. D. Bhandare, Shri B. S Bhaura, Shrimati B. Radhabai Anand Rao, Shri Chandrika Prasad, Shri Chhotey Lal, Shri Samar Guha, Shri Laxman Kakadya Dumada Shri Subodh Hansda, Shri V. Mayavan, Shri Nageshwararao Meduri, Shri Ram Surt Prasad, Shri Anantro Patil, Shri Dhan Shah Pradhan, Shrimati Sahodrabai Rai, Shri Ramkanwar, Shri Ajit Kumar Saha, Shri Shibban Lal Saksena, Shri Arjun Sethi, Shri Chandra Shailani, Shri Shambhu Nath, Shri Shankar Dev, Shri Nawal Kishore Sharma, Shri D P. Yadav, Shri S. M. Siddayya, Shri Shankar Dayal Singh, Shri Somchand Solanki, Shri Phool Chand Verma, and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of first week of the next session;

that in other respects the Rules of Procedure of this House relating to parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by

Rajya Sabha to the Joint Committee

The Motion was adopted

12-32 hrs

TAXATION LAWS (EXTENSION TO JAMMU AND KASHMIR) BILL

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R GANESH) I beg to move*

That the Bill to provide for the extension of certain taxation laws to the State of Jammu and Kashmir, be taken into consideration "

Sir, as the Hon'ble Members are aware several steps were taken last year with a view to mobilise additional resources and also for refugee relief These steps included

(a) imposition of a tax, known as Foreign Travel Tax, leviable in respect of every international journey by a passenger, where fare for such journey is paid or payable in Indian currency This tax, imposed through Chapter VII of Finance (No 2) Act, 1971 became effective from 15-10-1971,

(b) imposition of a tax with effect from 15-11-71 on certain postal articles transmitted by post through Tax on Postal Articles Act, 1971,

(c) imposition of an Inland Air Travel Tax with effect from 15-11-1971 through the Inland Air Travel Tax Act, 1971

These taxes were imposed with reference to Entry 97 of List I of the Seventh Schedule to the Constitution of India Under that Entry as it stood at the time of the enactment of the aforesaid Chapter and Acts, Parliament had no power to extend the said Chapter and the Acts to the State of Jammu and Kashmir. Accordingly, the said chapter and the Acts at present apply to the whole of India except the State of Jammu and Kashmir

At the time of consideration of the Tax on Postal Articles Bill, 1971 and Inland Air Travel Bill, Tax Bill, 1971, Members had raised the question of extension of these Acts to the State of Jammu and Kashmir As Article 370 of the Constitution required prior consultation with the Jammu and Kashmir Government, the Acts could not be automatically extended After the enactment of the above Chapter and the Acts, Entry 97 in List I has been applied to the State of Jammu and Kashmir with necessary modifications, under Article 370 of the Constitution The Bill now seeks to extend the aforesaid Chapter and the Acts to the State of Jammu and Kashmir with effect from the 1st July 1972 with suitable modifications

Sir, the extension of Chapter VII of the Finance (No 2) Act 1971 to the state of Jammu and Kashmir is not likely to result in any additional revenue by way of tax as that tax is chargeable from the last Indian airport from which the foreign flight takes off The extension of the Chapter will however prevent any possible evasion of payment of foreign travel tax by resort to device of chartered flights etc from the State of Jammu and Kashmir

The extension of the Inland Air Travel Tax Act 1971 and the Tax on Postal Articles Act, 1971 to the State of Jammu and Kashmir is, however, expected to yield a sum of Rs 3 lakhs per annum and Rs 7 38 lakhs per annum respectively by way of additional revenue

Sir, the present Bill is with a view to give effect to the assurance given at the time of consideration of the Bills relating to the taxes imposed I therefore, commend the Bill with a request that the House would unanimously accept it

*Moved with the recommendation of the President

Sir, I move :

MR. SPEAKER : Motion moved :

"That the Bill to provied for the extension of certain taxation laws to the State of Jammu and Kashmir, be taken into consideration."

SHRI S. M. BANERJEE (Kanpur) : I want to support this Bill. I am happy that some taxation laws have been extended to Jammu and Kashmir. Previously whatever Bills we passed, Jammu and Kashmir was always excluded and this gave the impression that there was some fine distinction. though Jammu and Kashmir was an integral part of our country. That was why we always demanded that whatever laws we pessed should be made applicable to the enrtire country, which definitely includes Jammu and Kashmir.

While discussing this Bill, I request the hon. Minister to let us know the machinery for realisation of taxes, arrears and other things. Clause 2 says that the provisions of Chapter VII of the Finance (No. 2) Act, 1971 and all rules and notifications issued by the Central Government shall extend to Jammu and Kashmir. Our information is that a lot of tourists go to Kashmir, taking with them many foreign things. I have myself seen in Srinagar that whatever you wish to buy, starting from cosmetics, you can buy; they are avilable in Srinagar. I want to know whether any arrangement is being made or has been made by the State Government or the Centre to check things. Otherwise, merely extending these Acts will not yield any results. I also welcome the extension of the Postal Articles Tax and Inland Air Travel Tax, but there also what is the machinery for collecting the tax ? Will there be some spsecial machinery formed or will some of the staff of the State Government be taken over by the Centre on loan or deputation for realising these taxes ?

I am glad that these taxes will also be realised from the people of Jammu and Kashmir. When these taxes were levied, we were assured that this was only to over come the difficult situation arising from the influx of million of refugees from Bangla Desh. We are happy that Bangla Desh is free and all those who came as our guests, although as refugees, have gone back to their original home. That was their desire, hope and wish.

With the martyrdo, of millions of peoplem their dream was realised. Whatever money we have spent so far, we have spent for a noble cause, for the cause of humanity. But after that, is there any necessity of continuing these taxes I want to know whether this 5 paise additional tax on envelopes and inland letters and other taxes mentioned in the Statement of Objects and Reasons are going to be continued and for how long ? It is high time these taxes are discontinued. I can assure the Minister that I am for uniform taxation in all the States, but we are opposed to this additional taxation. After Bangla Desh has become free and after the refugees have gone back, naturally our people should not be taxed any more. The minister should inform the House whether he is going to withdraw these taxes and if not, for how long they are going to continue, in the name of Bangla Desh refugees.

SHRI INDER J. MALHOTRA (Jammu) : Mr. Speaker, Sir, by and large I suppport this Bill. But my difficulty is that whenever the Central Government comes forward with any kind of legislation in this House, invariably at that time it is said that it is applicable to the whole of India "except the State of Jammu and Kashmir." I am here for the last so many years voicing this grievance why it is not possible for the Central Government, before they finalise any kind of legislation, to get in touch with the Jammu and Kashmir Government, get their consent and include the Jammu and Kashmir State in that legislation. I hope in future at least the Central Government would be more considerate and helpful and take proper action at the appropriate time.

Shri Banerjee said that imported articles are freely available in Srinagar city. I would like to remind him that Srinagar is not an exception. Imported articles are available in all major cities of India like Bombay, Calcutta and Madras. Therefore, let us not single out Srinagar city. Let us take certain measures by which we can control this danger in all the major cities of our country.

Shir Banerjee further referred to the additional taxation or levy for Bangladesh

[Shri Inder J. Malhotra]

refugees. It is a fact that the Bangladesh refugees have gone back and it is a happy thing that Bangladesh has come into being as a separate sovereign State. So, whan there is no refugee problem, when the Bangladesh State has been created and the refugees have gone back, I cannot understand what is the justification for even the continuance of this measure, not to speak of its extension to Jammu and Kashmir. Perhaps, in a routine fashion whatever legislation is being passed here is being extended to Jammu and Kashmir. When the problem of the Bangladesh refugees is no longer there, there is no justification for the continuance of this measure any longer. I hope the hon. Minister will give thought to this problem and kindly withdraw this measure itself, instead of extending it further to the State of Jammu and Kashmir.

श्री अटल बिहारी वाजपेयी (ग्वालियर) : अध्यक्ष महोदय, मैं इस विधेयक का विरोध करने के लिए खड़ा हुआ हूँ । आम तौर पर जब कोई कानून जम्मू काश्मीर पर भी लागू किया जाता है तो उसका समर्थन होता है । मन्त्री महोदय ने अपने बयान मे इस बात का उल्लेख किया है कि जब तक धारा 370 है हमे इस प्रकार के कानून जम्मू कश्मीर मे लागू करने के लिए विशेष इजाजत लेने की जरूरत है । मेरा निवेदन है कि धारा 370 समाप्त कर दीजिये, यह सिरदर्द दूर हो जायेगा । लेकिन इस समय मै उस व्यापक प्रश्न को उठाना नही चाहता ।

इस कानून के द्वारा जम्मू कश्मीर की जनता पर नये टैक्स लादे जा रहे है । जब इस सदन मे पहली बार ये कानून पेश किए गए हमने माँग की थी कि इन कानूनो को जम्मू कश्मीर पर भी लागू किया जाए । उस समय यह माँग नही मानी गई । आज जबकि बंगला देश के नाम पर लगे हुए टैक्सों को सारे देश में खत्म करने की जरूरत है, तब उन्हे जम्मू कश्मीर की जनता पर भी थोपा जा रहा है । मैं समझता हूँ कि यह जम्मू कश्मीर की जनता के साथ न्याय नही किया जा रहा है । मंत्री महोदय को यह विधेयक वापिस ले लेना चाहिये और ऐलान करना चाहिए कि वह बंगला देश के नाम पर लगे हुए टैक्सों को समाप्त करने जा रहे है । मुझे याद है कि जब बंगला देश की समस्या चल रही थी तब वित्त मंत्री महोदय ने उसका हवाला दे कर टैक्स लगाए थे और उस समय उन्होने यह आश्वासन दिया था कि ये टैक्स अगर जरूरी नही होगे तो एक दिन ज्यादा नही लगाए जाएंगे । अब बंगला देश बन गया है । जो विस्थापित आए थे वे अपने घरो को वापिस चले गए । वैसे भी यह अच्छा नही दिखाई देता कि हम बगला देश के नाम पर अपने देश की जनता पर टैक्स लगाएँ । बगलादेश की सहायता करना अलग बात है हम भी और देशों से सहायता ले रहे है, मगर भारत के नाम पर कोई डाक टिकट नही चल रहे है । मै समझता हूँ कि इस स्थिति को समाप्त करने की जरूरत है । जम्मू कश्मीर पर नये टैक्स लादने का तो सवाल ही पैदा नही होता है । हम इस विधेयक के बिल्कुल खिलाफ है । मंत्री महोदय को यह विधेयक वापिस ले लेना चाहिए ।

SHRI G. VISWANATHAN (Wandiwash) Mr. Speaker, Sir, the extension of the three taxes, namely, the foreign travel tax, the inland air travel tax and the tax on postal articles, are going to be extended to the State of Jammu and Kashmu.

These taxes according to the hon. Minister, come under Entry 97 of the list I of the Seventh Schedule of the Constitution. Entry 97 is otherwise known as residuary power which is vested in the Centre. This is a peculiar situation in our Constitution. In no other federal country, the residuary power is vested in the Centre. In all the federations, whether it is the United States of America or Australia or Switzerland or even Canada, the residuary power of legislation and taxation is vested in the units or provinces or States. Even under the Government of India Act of 1935, the residuary powers were vested in the Governor-General and he could authorise the federal legislature or the provincial legislature according to a particular matter.

These three taxes came into force in November, 1971 It was particularly meant for Bangladesh refugees In the last seven months, we could have collected a large amount of money if these taxes were extended to Jammu and Kashmir at that time But now the Government wants to extend it to Jammu and Kashmir We can agree only on principle that there must be equality or socialism at least in tax-paying in this country

What is the use of extending these taxes to Jammu and Kashmir now ? I want to know These taxes were levied for a particular purpose of helping the Bangladesh refugees I want to know from the hon Minister how long we are going to retain these taxes It is high time the Government should withdraw these taxes I think, the Government should come forward and withdraw all these taxes Particularly, the hon Minister has agreed that the extension of foreign travel tax is not going to yield any income by extending it to Jammu and Kashmir The other two taxes are also not going to yield much income So, I think, there is no purpose in extending this Act to Jammu and Kashmu But whether this should be extended to Jammu and Kashmir principle, I accept it on that principle only

श्री एस० ए० शमीम (श्रीनगर) : स्पीकर साहब, मुझे यह देख कर हैरत होती है कि इस सदन मे कई बार बहुत से सीनियर मेम्बरान ने इस बात पर हैरत का इजहार किया है कि जो लाज इस सदन मे पास होते है, वे आटोमेटिकली या इप्सो फेक्टो कश्मीर पर लागू क्यो नही होते हैं। ऐतराज करने वाले मेम्बर्ज जानते है कि आर्टिकल 370 की रू से इस सदन का पास किया हुआ हर कानून काश्मीर पर लागू नही होता है और आर्टिकल 370 खुद आईन का एक हिस्सा है। जिन बोर्डों वे यह मुतालिबा किया है कि आर्टिकल 370 को खत्म कर दिया जाये, वे शायद यह भूल जाते है कि आर्टिकल 370 की बाकायदा एक हिस्ट्री, एक तारीख है और वह खुद ही आईन मे नही आ गया हैं। कश्मीर और हिन्दुस्तान के नाते को तब तक अच्छी तरह नही समझा जा सकता है, जब तक कि आर्टिकल 370 और उस की तारीख को न समझा जाये।

श्री गोपालस्वामी आयंगर ने कास्टीट्युएण्ट एसेम्बली मे आर्टिकल 370 को मूव करते हुए उस आर्टिकल की अहमियत और जरूरत पर जोर किया था और उसे टेम्पोरेरी प्राविजन के नाम से इस आईन मे शामिल किया गया था। इस सिलसिले मे जो शर्त रखी गई थी, वह यह नही थी कि यह सदन इस आर्टिकल को खत्म कर सकेगा, बल्कि एक कन्डीशन प्रेसिडेंट यह थी कि जब काश्मीर के लोग या काश्मीर की एसेम्बली मुतालिबा करे, तो आर्टिकल 370 को खत्म किया जाना चाहिए और खत्म किया जा सकता है। अभी तक काश्मीर के लोगो की तरफ से यह मुतालिबा नही हुआ है। अगर काश्मीर के लोगो और एसेम्बली ने यह मुतालिबा नही किया है, तो सिर्फ इस ऐवान मे यह मुतालिबा करने के एक ही मानी है कि आनरेबल मेम्बर्ज सही सूरतहाल को नही समझते हैं।

जहाँ तक इस कानून का ताल्लुक है, मैं इसकी हिमायत करता हूँ। मै समझता हूँ कि लिफाफे पर पाच पैसे का टिकट लगाने की मामूली सी बात को लेकर काश्मीर के अवाम को शिकायत करने की जरूरत नही है। लेकिन हमे याद रखना चाहिए कि काश्मीर को यह जो रियायत दी गई है, आईन मे जो काश्मीर को जो खसूसी दर्जा या स्पेशल पोजीशन दी गई है, वह कुछ स्पेशल हालात की बजह से दी गई है। वे स्पेशल हालात उस शिद्दत के साथ आज मौजूद नही है, लेकिन इस वक्त भी उनके वजूब से इन्कार नही किया जा सकता है।

काश्मीर को यह पाँच पैसे की रियायत या राइस सबसिडी देने की बात कही जाती है, लेकिन आनरेबल मेम्बर्ज को यह मालूम होना चाहिए कि काश्मीर ही एक ऐसी स्टेट है, जहाँ अभी तक रेलवे नही गई है। कोका कोला की यहाँ पर बोतल 45 पैसे मे मिलती है, लेकिन काश्मीर मे वह डेढ रुपये मे बिकती है। इसी तरह बिस्किट का जो डिब्बा यहाँ सवा रुपय मे बिकता है, वह वहाँ डाई रुपये मे बिकता है। आनरेबल मेम्बर्ज ने सिर्फ इस बात का खयाल किया है कि वहाँ पर चावल के लिए सबसिडी दी जा

[श्री एस० ए० शमीम]

रही है या यह पांच पैसे की रियायत दी जा रही है, लेकिन उनको यह मालूम नहीं है कि यहां से खाने-पीने का और दूसरा सामान ले जाने के फ्रेट चार्जिज दूसरी स्टेट के मुकाबिले में 55 परसेंट ज्यादा है। नतीजा यह है कि हमने इतना रुपया खर्च किया है कि वहां की इकानोमी टेक आफ स्टेज पर नहीं आ पाई है।

जो लोग आर्टिकल 370 को खत्म किए जाने का मुतालिबा करते है, मै उनसे गुजारिश करता हूँ कि वे आर्टिकल 370 को खत्म करने से पहले उसका कानूनी ऐतबार से मुताला करे। अगर हिन्दुस्तान और काश्मीर को एक-साथ रखने का कोई पुल है, तो वह आर्टिकल 370 है। जिस दिन आर्टिकल 370 को खत्म किया जाएगा, उस दिन कानूनी ऐतबार से काश्मीर और हिन्दुस्तान के रिश्ते और ताल्लुक को खत्म करने और कमजोर करने की कोशिश की जाएगी।

श्री अटल बिहारी वाजपेयी : गलत।

श्री एस० ए० शमीम : जहां मैं यह समझता हूँ कि इस बिल को जम्मू-काश्मीर मे एक्सटेंड करना चाहिए, क्योंकि इसमे सिर्फ बंगलादेश के रेफ्यूजीज के रिलीफ के लिए टैक्स आन पोस्टल आर्टिकल्ज एक्ट ही नही है, बल्कि फारेन ट्रैवल एअर टैक्स और इनलैंड एवर ट्रैवल टैक्स लगाने का प्राविजन भी है, वहां मै इस बात से मुत्तिफिक हूँ कि इस सरहले पर, जबकि फाइनेंस मिनिस्टर ने यह ऐलान किया है कि यह ज्यादा से ज्यादा दो तीन माह के लिए रहेगा, इस बिल को काश्मीर मे एक्सटेंड करने का कोई फायदा नही है, खासकर···

अध्यक्ष महोदय इस बिल में टैक्सों की बात है। इसमे आर्टिकल 370 की बहस नही है। आप तो आर्टिकल 370 की बहस में पड़ गये हैं।

श्री एस० ए० शमीम : यह एक्सप्लेन करना जरूरी था कि लाज क्यों आटोमेटिकली जम्मू-काश्मीर पर लागू नहीं किए जाते हैं। श्री इन्द्र जीत गुप्त ने कहा है कि ला पास करने से पहले स्टेट गवर्नमेंट की कानकरेंस हासिल करनी चाहिए।

It is not possible because the laws passed by Parliament are to be extended to the State. How can you get the concurrence of the State Government when there is no law? That is why it became necessary to give the historical background of article 370.

Mr. Vajapayee mentions a short-term solution for every problem in Kashmir and that is removal of article 370. I would like to remind him that, before he decides nally to move a resolution for abrogation of article 370, he must understand the legal and Constitutional implications of this particular article

[شری ایس۔ اے۔ شمیم (سری نگر)

سینکر صاحب مجھے یہ دیکھ کر حیرت ہوئی ہے کہ اس سدن میں کئی دار بھت سے سینئر ممبران نے اس بات پر حیرت کا اظہار کیا ہے کہ جو لوگ اس سدن میں پاس ہوئے ہیں وہ آئومنٹیلی یا اپسو فیکٹو کشمیر پر لاگو کیوں نہیں ہوتے۔ اعتراض کرنے والے ممبر جانتے کہ آرٹیکل ۳۷۰ کی رو سے اس سدن کا پاس کیا ہوا ہر قانون کشمیر پر لاگو نہیں ہوتا ہے۔ اور آرٹیکل ۳۷۰ خود آئین کا ایک حصہ ہے۔ جن دوستوں نے یہ مطالبہ کیا ہے کہ آرٹیکل ۳۷۰ کو ختم کر دیا جائے وہ شاید یہ بھول جاتے ہیں کہ آرٹیکل ۳۷۰ کی بافائدہ ایک ہسٹری۔ ایک تاریخ ہے۔ اور وہ خود بھی آئین میں نہیں آگیا ہے۔ کشمیر اور ہندوستان کے ناطے کو تب تک اچھی طرح نہیں سمجھا جا سکتا ہے جب تک کہ آرٹیکل ۳۷۰ اور اسکی تاریخ کو نہ سمجھا جائے۔

شری گوپال سوامی آئینگر نے کونسٹی-

یہاں پر ۳۵ پیسے میں ملتی ہے لیکن کشمیر میں ۵۰-۱ روپے میں بکتی ہے۔ اس طرح سکت کا جو دن یہاں سوا روپہ میں بکتا ہے وہ وہاں ڈھائی روپہ میں بکتا ہے۔ آرڈیل ممبر نے صرف اس بات کا خیال کیا ہے کہ وہاں پر حاول کے لئے سبسیڈی دی جا رہی ہے یا یہ تاجر لوگ کی زیادتی دی جا رہی ہے۔ ایسی ان کو یہ معلوم نہیں ہے کہ یہاں سے کھانے دینے کا اور دوسرا سامان لے جانے کی جو ٹرانسپورٹ کمپنی ہے اس کے معاملے میں ۵۵ پرسنٹ زیادہ ہے۔ یہ بھی ہے کہ ہمیں ایسا ہو کہ خرچ کیا ہے کہ وہاں کی آبادی تک آٹا سستا پر نہیں آ سکتا۔

جو لوگ آرڈیننس ۳۰۰ کو ختم کئے جانے کا مطالبہ کر رہے ہیں میں ان سے گذارش کروں گا کہ وہ آرڈیننس ۳۰۰ کو ختم کرنے سے پہلے اس کا قانونی اعتبار سے مطالعہ کریں۔ مگر ہندوستان اور کشمیر کو ایک ساتھ رکھنے کا کوئی پل ہے تو آرڈیننس ۳۰۰ ہے جسکی آرڈیننس ۳۰۰ کو ختم کیا جائیگا اس کی قانونی اعتبار سے کشمیر اور ہندوستان کے رشتے اور تعلق کو ختم کرنے اور ضرور کرنے کی کوشش کی جائیگی۔

سری ایل بہاری واجپائی علط

شری اس۔ اے۔ سمم—جناب میں یہ سنتا ہوں کہ اس بل کو جموں کشمیر میں استعمال کرنا چاہئے کیونکہ اس میں صرف بنگلہ دیش کے رفیوجیز کے لئے رلیف کے لئے ٹیکس آف ڈیولر اسکٹ ہی نہیں ہے۔ بلکہ ماں ڈیوٹی ٹیکس اور ایکسٹرا ڈیوٹی ٹیکس لگانے کا پروویژن بھی ہے یہاں میں اس بات سے متفق ہوں کہ اس مرحلے پر جسکہ فائنانس منسٹر نے یہ اعلان کیا ہے

نوٹیفائیڈ اسمبلی میں آرڈیننس ۳۰۰ کو موو (Move) کرنے سے پہلے اس آرڈیننس کی اہمیت اور ضرورت پر زور دیا تھا۔ اور اسے تمام پروویژنز کے ساتھ اس آڈر میں شامل کیا گیا تھا۔ اس سلسلے میں جو شرط رکھی گئی تھی وہ یہ نہیں تھی کہ ہمیں اس آرڈیننس کو ختم کر سکے گا۔ بلکہ ایک کنڈیشن پروویژنل نیچر کی تھی کہ جب کشمیر کے لوگ یہ کشمیر کی اسمبلی مطالبہ کرے تو آرڈیننس ۳۰۰ کو ختم کیا جا سکتا ہے۔ ابھی تک کشمیر کے لوگوں کی طرف سے یہ مطالبہ نہیں ہوا ہے۔ اگر کشمیر کے لوگوں اور اسمبلی نے یہ مطالبہ نہیں کیا تو صرف اس الزام میں کہ یہ مطالبہ کرنے کا ایک ہی معنی ہیں کہ آرڈیننس ممبر صحیح صورت حال کو نہیں سمجھتے ہیں۔

جہاں تک اس بات کا تعلق ہے میں اسکی حمایت کرتا ہوں۔ میں سمجھتا ہوں کہ لداخ پر تاجر دسے کا ٹیکس لگانے کی معمولی سی بات کو لیکر کشمیر کے عوام کو سکات کرنے کی ہمیں ضرورت نہیں ہے لیکن ہمیں یاد رکھنا چاہئے کہ کشمیر کو جو رعایت دیگئی ہے۔ آڈر میں کشمیر کو جو خصوصی درجہ یا سپیشل پوزیشن دیگئی ہے وہ کچھ سپیشل حالات کی وجہ سے دی گئی ہے۔ وہ سپیشل حالات اس نشدد کے ساتھ ساتھ آج موجود نہیں ہیں۔ لیکن اس وقت بھی ان کے وجود سے انکار نہیں کیا جا سکتا ہے

کشمیر کو یہ تاجر پاسے کی رعایت یا راس سبسڈی دینے کی بات کہی جاتی ہے لیکن آبزرویشن میمبر کو یہ معلوم ہونا چاہئے کہ کشمیر ایک ایسی ریاست ہے جہاں ابھی تک ریلوے نہیں گئی ہے۔ کوکا کولا کی موٹر

[شری ایس۔ اے۔ شمیم]

کہ زیادہ سے زیادہ دو و دن ماہ کے لئے رہے گا اس بل کو کشمیر میں ایکسٹینڈ کرنے کا کوئی مائنڈہ نہیں ہے۔ خاص کر ....

ادھکش مہودے—اس بل میں ٹیکس کی بات ہے اس میں آرٹیکل ۳۷۰ کی بحث نہیں ہے۔ آپ نو آرٹیکل ۳۷۰ کی بحث میں نہ گئے ہیں۔

شری ایس اے شمیم—یہ ایکسپلین کرنا ضروری تھا لیکن آٹومیٹکلی جموں و کشمیر پر لاگو نہیں کئے جاسکتے ہیں۔ شری اندر جیت گپت نے کہا ہے کہ ہمیں اسمبلی سے دبلے اسمبلی گورنمینٹ کی کنکرینس حاصل کرنی چاہئے۔]

SHRI DASARATHA DEB (Tripura East): We are not opposed as such on principle in extending any law to Kashmir, but we are opposed to extending this legislation because it relates to taxation. We are opposed to all kinds of taxation The hon Member has expressed the difficulties that are experienced in Kashmir due to transport bottleneck, etc.—the prices of all commodities are very much higher in Kashmir. If you impose this taxation there, then more difficulties will be added to the people of Kashmir. This additional five paise taxation on envelopes, etc., was introduced during a particular period when Bangladesh refugees were in India in order to bear the burden of extra expenditure which had to be incurred on account of Bangladesh refugees. At that time Parliament had passed the law. Government had been given the permission by Parliament. That time is over now. Now an independent Bangladesh has been created and the Bangladesh refugees have already gone back to their country. We are happy over that. And now instead of withdrawing these taxes from all over India, the Government want to extend it to the Kashmiri people also. This is not right and that is why I oppose it and our Party opposes it and I ask the Government as to when they will bring forward legislation to withdraw the five paise tax from all India. We want it and it should be done immediately.

Then excess levy on air travel is also there. All sorts of excess levies which have been imposed on the plea to give relief to the Bangladesh refugees must be withdrawn now and they should not continue.

13 hrs.

SHRI K. R. GANESH : I am thankful to the hon. Members who have briefly taken part in this debate.

Sir, as the hon. Members ar aware, when these Acts were discussed in the form of Bills in this House and in the other House, there was a persistent demand from large sections of the House as to why these levies and taxes are not being extended to the State of Jammu and Kashmir. At that time, we had clarified that due to Art. 370 and due to the Schedule it was not possible to extend it without the concurrence of the State Government and I had also indicated in this House that the Home Ministry was taking necessary steps to get in touch with the State Government and seek their concurrence so that these levies could be extended to the State of Jammu & Kashmir. Now, having taken the concurrence of the State Government, the President had passed the necessary orders and this extension of the Taxation Laws Amendment Bill to the State of Jammu & Kashmir is a consequence of this.

The only other point the hon. Members raised is that till what time these taxes will continue. As the hon. Members are aware, though the refugees left this country, the consequences of the problem that the refugees left, the consequences of the prablem of the war with Pakistan and its tremendous drain on the economy of the country continues and the Government had made its position clear that on present indications the levies are expected to continue for 1972-73 financial year.

Shri Banerjee raised the question of machinery. The question of machinery is very simple because both the inland air travel

tax and the foreign travel tax are to be collected by the carriers themselves. And, as far as the tax from the postal articles is concerned, it is to be collected by the post offices along with the postage. Since in view of having uniformity of taxation and in view of the persistent demands made by the hon. Members here, this Bill has come before the House and I command this Bill to the House,

MR. SPEAKER : The question is :

"That the Bill to provide for the extension of certain taxation laws to the State of Jammu and Kashmir, be taken into consideration."

The motion was adopted.

MR. SPEAKER : There being no amendments to any of the clauses, I will put them all together.

The question is :

"That Clauses 2 to 4, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

Clauses 2 to 4, the Schedule Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI K. R. GANESH : Sir, I beg to move :

"That the Bill be passed."

श्री अटल बिहारी वाजपेयी : मंत्री महोदय ने यह नहीं बताया कि बंगला देश के नाम पर लगाये गये टैक्स कब समाप्त होंगे ?

SHRI K. R. GANESH : As I said, on the present indications, the levies are expected to continue for the 1972-73 financial year.

MR. SPEAKER : Are you satisfied now ?

SHRI ATAL BIHARI VAJPAYEE : I am not satisfied.

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

13 04 hrs.

DELHI LANDS (RESTRICTIONS ON TRANSFER) BILL

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI I. K. GUJRAL) : I beg to move*

"That the Bill to impose certain restrictions on transfer of lands which have been acquired by the Central Government or in respect of which acquisition proceedings have been initiated by that Government, with a view to preventing large-scale transactions of purported transfers or, as the case may be, transfers of such lands to unwary public be taken into consideration."

Earlier also there had been a discussion on unauthorised colonies. Sir, unauthorised colonies have by and large come in because some people who owned the land which had either been notified for acquisition or even completely acquired, indulged in unauthorised sales which are being done even today. I am conscious that many of these people have been duped on this account. The common citizen who is not aware as to what is the implication of the Master Plan is sometimes led to believe that he is getting cheap land, cheap land has been sold to him, and all that, because those who were selling were unscrupulous persons. They were selling it at throw,away prices because they wanted to get money out of it, knowing full well that the land had been acquired. In

*Moved with the recommendation of the President.

some cases even when they filed the cases in the court they had lost their cases. In some cases even the remuneration for the acquired land had been paid. The result of it has been that about 200 colonies came up in the towns which should not have come up if the Master Plan growth had been allowed to continue. The reesult of all this has been, in the place where road should have been built, houses were built, for instance one outstanding example, one visible example, is this. We built a bridge across Jumna near the Indraprastha Estate. It could not be linked with U. P. for a number of years because of these unauthorised colonies. Now we have been able to clear a part of it and the road is being connected. But this can be seen time and again.

There are a number of cooperative societies who have even paid to the Government for the land which was allotted to them, but unfortunately, they had been bypassed by these unauthorised unscrupulous sales and transfers of land.

Sir, we have, as I said again and again, sympathy with those who have been duped. That is why we have gone into the process of seeing that in respect of all those colonies which have come up, they should be given a second look, and more sympathetically. Some colonies have already been regularised. We are having a second look at other colonies and we are keen that we extend our sympathetic hand to them. But help to them can be given only if the problem is frozen, if the process does not continue, because, what happens is, when you authorise one colony, 4 more colonies come up. The result of that all is that the problem does not get 'contained', if I may say so.

Fortunately, Sir, in Delhi's public life, all political parties, irrespective of their other convictions, have been one on this issue that we must try to sort out this problem. That is why when I took up this issue before the elections in Delhi the Jan Sangh Government also in Delhi supported this idea. They said, we must try to bar this, and this idea was mooted at that time.

Now, Congress Government is in power, and they had moved this Bill in the Metropolitic Council. Some suggestions were made for amendments. One of the amendments suggested in the Metropolitin Council was that if a land is to be acquired under section 6, then, the process must be completed within three years. This we have accepted and that amendment is incorporated in the Bill now. That will also lessen the burden on those whose lands are under acquisition notice.

Sir, Delhi apart, I have said again and again, for the country as a whole, including Delhi, it is very important for us to think in terms of planned growth, of the entire urbanisation process for the country as a whole. Unless we are able to plan our cities; unless we are able to plan our towns, not only plan our cities and towns, but also plan the areas around towns and cities where the town and city area has to expand, till then, it will not be possible for us to see that planned growth comes in. Sir, non-plan growth of cities can result in what unfortunately Calcutta has been facing. We have to stop cities going the Calcutta way.

Today, when this process of urbanisation is going on, today although we have approximately 12 crores of our citizens living in the urban areas, this is likely to be doubled in the next 15 years. So, not only have we to plan for these 12 crores of people who are living in the towns today, but we have to plan for the further increasing population of 15 crores in the next 15 years For this, new townships have to be built Our existing towns have to be strengthened; our cities have to be planned. Not only have we to plan them, but we have now to start thinking how to plan physically, in accordance with the economic growth pattern. Economic planning and spatial planning have got to be coordinated. Unfortunately we have not given so much importance to it. The result of it is that unplanned growth have come in and even the economic pattern of growth has not looked into this aspect as to what effect it will have on the land.

Therefore, Sir, now, when we want to contain the inflow of popoulation from rural life to urban life, it is very important for us to create employment potentialities in the villages.

Sir, it is also important for us to decentralise the magnets of pull, which pull the population to the towns and big cities, so that we are able to build new focus of economic activity outside the major towns and major cities.

Our cities are swelling and our population is increasing. The organisational infrastructure like the municipal structure, like other amenities, water supply and sewerage and roads, these are all unable to cope up with this pressure. Therefore, Sir, it is very important that we must plan.

For Planning, Mr. Speaker, it is also very important that we must have an urban land policy. Because, for urban land policy, it is not only important to plan the urban land. It is also important to 'socialise' urban land. Unless we socialise urban land, the land values will keep on rising. And now, a stage has come when a middle-class man, and even a prosperous section of society, finds it difficult to buy land. It is because land values keep on rising. The only way of keeping the land values down is that the land should be socialised. A part of it can be sold, of course, to those who are affluent at the market values, but then, the weaker sections of society must be given land for housing on a subsidised rate. Therefore, a policy like the Delhi pattern must be extended further.

I am conscious that when we converted the freehold into leasehold, a controversy has been raised about this. Sir, this has to be looked at not from the point of view of any politics or economics The point has to be looked at from the urban policy point of view. Unless there is a leasehold policy unless all the land is socialised, it is impossible to have a pattern of growth, which is controlled. If we let shops come wherever people want to, if we let factories come wherever people want to, if there is no such thing as control, Sir, it is impossible for us to have a planned growth of any towns and cities. Leasehold is also important, because in the process of urbanisation, the land values keep on rising, and the benefit goes to individuals without any effort on their part. If somebody had a huge piece of land, if municipality had connected it with the road, if sewerage is laid, if an adjoining shop area is built, if schools and colleges are provided, the land values of the plot rises. The benefit entirely goes to individuals. And, in this way, in India, a very big section of population has come up, which we can call, 'Urban-land Rich' who had done nothing to contribute to society, as such, but had simply taken advantage of rise in the urban land values

We must see that this rise in the urban land values is used for the benefit of the community as a whole.

I think, I have once or twice mentioned in this House that India suffers from a huge backlog of housing shortage. That huge backlog is approximately 8 crores for rural and urban area That means, if we are short of 8 crore units and if 4 to 5 persons live in one unit, approximately, 40 crores of people in India are living either without a house or in sub-standard house. In the urban area, the shortage is of the order of about 2 crores.

Therefore, Sir, out of a population of 12 crores in urban area, 8 to 10 crores of people are today either living in *Jhuggi-Jhonpri* or living in slums, or living in sub-standard houses Obviously, the burden of it is mostly transferred to the weaker sections of society. This huge money that is needed for building houses cannot be met by any Government sources, but one of the potential sources today is the land itself. If urban land is used and the benefit from the land is used for building up a revolving fund for housing like Delhi, then there is hope for the country. I have been trying to persuade all the State Governments, and I must say that the response of the State Governments has been good—to see light—and there is every hope that not only will the towns be planned but also legal measures will be taken to enforce the plans by law and also to see that the urban land socialistion process is started so that urban land-use is determined and the benefit from the sale of urban land goes to the community as a whole and not to the individual.

It is in this spirit that I have brought this Bill, and I am certain and I am sure and confident that the House will give this Bill a unanimous support so that we are in a position to stop this racketeering and also

[Shri I. K. Gujral]

start building cities for the common citizens in the future which are not problem cities of tomorrow, and also stop the process of degernation of urban life, if we can through such Bills.

MR SPEAKER : Motion moved :

"That the Bill to impose certain restrictions on transfer of lands wich have been acquired by the Central Government or in respect of which acquisition proceedings have been initiated by that Government, with a view to preventing large-scale transactions of purported transfers or, as the case may be, transfers of such lands to unwary public, be taken into consideration."

SHRI BIREN DUTTA (Tripura west : Sir, I rise to support the Bill, but this Bill intends only to check some malpractices in the case of persons selling the lands which have been acquired or are in the process of acquisition. But while introducing this Bill, the Minister has rightly raised the problem of urban housing and land development of the cities While we are discussing this Bill, we must keep in mind that only by thinking of socialisation of urban land without giving consideration to the persons who need houses immediately and those who are compelled by circumstances to form unauthorised colonies, the problem cannot be solved. The plight of those persons must be looked into, and their solution cannot be delayed. Due to overcrowding, particularly of the areas nearby Delhi housing has become a problem, and Delhi is a growing city, and all the areas within the Delhi Administration are now a central attraction. So, people are rushing and creating, what may be called, unauthorised colonies. They have come to stay and live there and earn a livelihood and try to establish themselves in society. That is the reason for the existing situation. The juggi-jhompriwalas are not going to erect houses by purchasing land from the owners of those areas which have been requisitioned or are acquired by the Government. There are some other sections of the people who have some money to purchase land and they fall upon all those areas where they can have plots at less cost, and in this process some unscrupulous persons come in and sell those plots of land which you know have either been acquired or are in the process of acquisition. What will happen to those persons who have purchased from those fraudulent sellers ? From this Bill, I have got no idea as to what will happen to them. They will be thrown out. About them, no thought has been given in this Bill. The point is that their case must be considered. Otherwise there will be some trouble even after the Bill is passed. Even while trying to restrict fradulent dealers in land, there is a tendency to give them some rope to get out of the clutches of law. The proviso to clause 10 says :

"Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence "

This will help the fraudulent dealers to go to the court and seek a remedy and get out of the clutches of this law I do not understand why this provision has been made. In respect of another clause, it was explained earlier that it was after consultation with various parties that this clause has been inserted. Clause 7 says :

"Where the competent authority has made any order under section 5 refusing to grant permission to transfer any land or where, an appeal having been filed against such order, the prescribed authority has made an order under section 6 confirming such order, then, the order refusing to grant permission to transfer such land shall be in operation only for a period of three years from the date of the order made by the competent authority or the prescribed authority, as the case may be, and thereafter, but subject to the provisions of section 3, it shall be lawful for the person who has applied for permission or his successor-in-interest, to transfer such land by salem mortgage, gift, lease or otherwise."

The period of three years seems to be long. If the land is to be released, and not to be

taken up by the Government, why should a person wait for clearance for the sale or mortgage or transfer of the land for three years ? In the Explanation it has been clearly stated that if there is any stay order from any court, it may take more time. Why should the person be in suspence ? In case there is sale of such property in which somebody has built up a house, is he to remain in a period of suspense for such a long time ? I hope the hon Minister will consider this point. Otherwise, generally I support the Bill.

श्री इसहाक सम्भली (अमरोहा) : स्पीकर साहब, यह बिल जिस मकसद के लिए लाया गया है, मैं उसकी ताईद करता हूं। लेकिन मैं समझता हूँ जो मकसद बयान किया गया है, जिस लिए बिल लाया जा रहा है, इसकी जो ड्राफ्टिंग है और इस बिल की जिस तरह तरतीब दी गई है वह इस मकसद को हार्गिज पूरा नही करता। इस बिल मे जितने लूपहोल्स रखे गए है, जिस तरह से सोच समझ कर इसकी ड्राफ्टिंग हुई है, मै समझता हूं वह इस बिल के मकसद का बिल्कुल बेकार कर देता है। जरा आप गौर फर्माये। पहली चीज यह है कि इसका ढिढोरा कार्फ। पहले से पीट दिया गया है कि ऐसा बिल आने वाला है, आने वाला है, आने वाला है। ऐसे मौके पर यह किया जाता है कि उसका जो निफाज होता है, जो उसको लागू किया जाता है वह बैक डेट से किया जाता है। यह आज भी जब तक ऐक्ट नही बन जायेगा उस वक्त तक यह ट्रासफर इल्लीगल नही होंगे बल्कि लीगल होते रहेंगे। मैं समझता हूँ जैसा कि और मौको पर भी सरकार को करना पडा है कि कम से कम दो साल पहले से इसको लागू किया जाना चाहिए। लोगो को मालूम था कि ऐसा बिल आ रहा है इसलिए बहुत बड़ी तादाद मे ट्रान्सफर किए गए है। अगर आप जाकर देखे तो ताज्जुब होगा कि एक डेट मे कितनी बडी तादाद मे ट्रान्सफर हुए है। इसलिए इसमे बैक डेट की कोई गुजायश का न रखा जाना यह मकसद है कि पूरे तौरपर इजाजत है जितने चाहो इल्लीगल ट्रान्सफर कर डालो। इसलिए मेरा मतालबा है कि जो इसका निफाज हो, इसको जो लागू किया जाये वह कम से कम दो साल पहले से होना चाहिए। सरकार को चाहिए कि वह इस बात को मजूर करे।

दूसरी चीज—मुझे ताज्जुब हुआ जो क्लाज (9) इसमे रखा गया है पनिशमेन्ट का, हमने देखा कि पहले तो बहुत अच्छा कह दिया गया कि उसका मजा दी जायेगी जो तीन साल तक की हो सकती है लेकिन आगे बड़ी खूबसूरती से सारी सजा को खत्म कर दिया गया यह कह कर कि उस पर फाइन भी किया जा सकता है या दोनो चीज हो सकती है जहाँ तक फाइन लगाने का सवाल है, जिन लोगो ने इल्लीगल ट्रान्सफर करके दो लाख, 5 लाख या दस लाख का कमाई की है उन पर अगर पाँच हज़ार या दस हज़ार का फाइन भी हो जाय तो उनके लिए कौनसी बड़ी बात होगी। जरूरत इस बात की थी कि इसमे लाजमी तौर पर पनिशमेंट सिर्फ सजा के तौर पर ही रखा जाता और अगर फाइन रखा ही जाता तो बड़ा हेवी फाइन रखना चाहिए था जिससे कि वाकई इस चीज को रोका जा सकता। दो चार हज़ार फाइन रखने के कोई मायने नही है। इसके अलावा हो सकता है कि सिर्फ सौ रुपया फाइन करके ही उसको टाल दिया जाये। इसलिए मै समझता हूँ इसको यहाँ पर चेंज करना चाहिए।

तीसरी चीज—जैसा कि अभी मेरे भाई ने कहा यह ताज्जुब की बात है और बड़ा खतरनाक मामला है कि कोई आकर कह दे कि मुझे नही मालूम कि इस तरह की कोई चीज थी तो उसको माफी मिल जायेगी। यह तो वही बात हुई कि चोर कह दे कि मुझे नही मालूम कि चोरी करना जुर्म है लिहाजा उसे छोड़ दिया जाये। यहाँ पर जानबूझ कर बहुत ही खतरनाक किस्म के लूपहोल्स रखे गये है जिनसे इस बिल का मकसद ही बिल्कुल बेकार हो जाता है। मुझे इस बात की खुशी है कि हमारे वर्क्स और हाउसिंग मिनिस्टर नौजवान ही नहीं प्रोग्रैसिव भी है। मैं उम्मीद करता हूँ कि वह दिल्ली की बढती हुई आबादी के खास हालात की तरफ देखेंगे।

[श्री इसहाक सम्भली]

आज कालोनीज़ बसती चली जा रही है लेकिन ऐसी कालोनीज़ है जिनमे समाज के वीकर सेक्शम जाकर नही रह सकते हैं, हरिजन वहां जाकर नही रह सकते है। हरिजनो की क्या बात है कितने इलाको का मैं जानता हूँ मुसलमान भी वहां नही रह सकते है अगर कोई वहां गया है तो इतना परेशान हुआ है कि उसको छोड़ कर भाग आना पडा। मै नही कहता कि हिन्दू मुसलमान के नाम पर कोई कालोनीज बनाई जाये लेकिन ऐसी कालोनीज हो जो वीकर सेक्शन्स के लिए भी हो। डिफेन्स कालोनी और ग्रेटर कैलाश न हो करके इस तरह की कालोनीज हो जहां पर गरीब लोग भी रह सकें। मै खास तौर पर वीकर सेक्शन जा कहता हूँ उससे मेरा मकसद माइनारिटी और हरिजनो से है, उनके बारे मे जरूर खयाल होना चाहिए। आज पुरानी देहली की आबादी वही ज्यादा बढ चुकी है लेकिन उनके लिए कोई ऐसी कालोनीज़ नही है जहां पर कि वे जाकर आराम से रह सके। इसलिए मेरी दरख्वास्त है कि सरकार इसकी तरफ तवज्जह करे। चूंकि इस बिल मे इतने डिफेक्ट्स है इसलिए मेरी दरख्वास्त है इस बिल को वापिस ले करके, फिर से ड्राफ्टिंग करके जिसमे यह लूपहाल्स न हो और जिसम गरीबो के लिए गुंजाइस हो और देहली के कालोनाइजस जो पब्लिक का तबाह कर रहे है उनसे बचाने के लिए इसम इन्तजाम किया जाए। मै उम्मीद करता हूं मिनिस्टर साहब इस बारे मे जिद से काम नही लेंग और इस बिल के जो आब्जक्शनेबिल सेक्शन्स है उनको फिर देखगे और मैने जो एतराज़ किए है उन पर गौर करेंगे और इस तरह मे इस बिल का सुधार करेंगे।

इन अलफाज के साथ मै इस बिल के मकसद का समर्थन करता हूँ।

— [سری اسحاق سنبھلی (اورنگ آباد)

سپیکر صاحب یہ بل جس مقصد کے لئے لایا گیا ہے میں اس کی تائید کرتا ہوں۔ لیکن میں سمجھتا ہوں جو مقصد بیان کیا گیا ہے۔ جس لئے بل لایا جا رہا ہے۔ اس کی جو ڈرافٹنگ ہے اور اس بل کو جسطرح ترتیب دی گئی ہے وہ اس مقصد کو ہورا پورا نہیں کرتا اس بل میں جسے لوپولز رکھے گئے ہیں جس طرح سے سوچ سمجھ کر اس کی ڈرافٹنگ ہوئی ہے میں سمجھتا ہوں وہ اس بل کے مقصد کو بالکل ختم کر دیتا ہے۔ ذرا آپ اور فرمائیں۔ پہلی چیز یہ ہے کہ اس کا دسخطرا کافی پہلے سے پبلسٹ دیا گیا ہے کہ ایسا بل آنے والا ہے۔ آنے والا ہے۔ آنے والا ہے ایسے موقعے پر یہ کہا جاتا ہے کہ اس کا جو بھار ہوتا ہے جو اس کو لاگو کیا جاتا ہے وہ بہت دیر سے کیا جاتا ہے۔ یہ آج بھی جسٹ ایکسپ نہیں کیا جائے گا اس وقت تک یہ راسمو بالکل نہیں ہوسکے گا۔ لیکن بالکل ویسے ہے۔ میں سمجھتا ہوں جتنا جلد موقعوں پر بھی سرکار کو کرنا چاہیے یہ کم سے کم دو سال پہلے اسکو لاگو کیا جانا چاہئے۔ لوگوں کو معلوم ہو کہ ایسا بل آرہا ہے۔ اس پراپرٹی کی تعداد میں ٹرانسفر ہوئے گئے۔ اگر آپ جائزہ لیں تو تعجب ہوگا کہ ایک ڈیٹ میں کتنی بڑی تعداد میں ٹرانسفر ہوئے ہیں۔ اس لئے اس میں ایک ڈیٹ کی کوئی گنجائش نہیں رکھی جانا یہ مقصد ہے کہ دو سے طور پر اخبارات میں جتنا جلد اللیکل ٹرانسفر کر ڈالو۔ اس لئے میرا مطالبہ ہے کہ جو اسٹامپ ڈیوٹی ہو اس کو جو لاگو کیا جائے وہ کم سے کم دو سال پہلے سے ہونا چاہئے۔ سرکار کو چاہئے کہ وہ اس بات کو مقرر کرے۔

دوسری چیز وہ ہے مجھے تعجب ہوا جو کلاز (9) اسمیں رکھا گیا ہے پشدددت کا۔ ہم نے دیکھا کہ پہلے تو بہت اچھا کہہ دیا گیا

کالونیز ہیں جن میں سماج کے ویکر سماشاز جا کر نہیں رہ سکتے ہیں۔ میری جن کی کہا بات ہے۔ کتنے علاقوں کو میں جانتا ہوں مسلمان بھی وہاں نہیں رہ سکتے ہیں اگر کوئی وہاں گیا ہے تو اسا دریشان ہوا ہے کہ اس کو چھوڑ کر بھاگنا پڑا۔ میں نہیں کہتا کہ ہندو مسلمان کے نام پر کوئی کالونی بنائی جائے لیکن ایسی کالونیز میں جو ویکر سیکشنز کے لئے بھی ہوں۔ ڈیفنس کالونی اور گریٹر کیلاش کو لو کہ اس طرح کی کالونیز ہوں جہاں پر غریب لوگ بھی رہ سکیں میں خاص طور پر ویکر سیکشنز جو کہنا ہوں اس سے میرا مطلب ماہورز شہر اور میری جنوں سے ہے۔ ان کے بارے میں ضرور خیال ہونا چاہئے۔ آج پرانی دلی کی آبادی کم ہو رہی ہے بڑھ چکی ہے۔ لیکن اُن کے لئے کوئی کالونیز نہیں ہیں جہاں پر وہ جا کر آرام سے رہ سکیں۔ اس لئے میری درخواست ہے کہ سرکار اسکی طرف توجہ دے۔ چونکہ اس بل میں بہت ڈیفیکٹس ہیں۔ اس لئے ہماری درخواست ہے کہ اس بل کو واپس لیکر پھر سے ڈرافٹنگ کرکے جسمیں یہ لو ولز ہوں اور جسمیں غریبوں کے لئے گنجائش ہو اور دلی کے کالونائزر جو پبلک کو اپیل کر رہے ہیں میں اسے بچنے کے لئے اسمبلی کا اعلام کیا جائے۔ میں امید کرتا ہوں کہ منسٹر صاحب اس بارے میں ضد سے کام نہیں لینگے۔ اور اس بل کے جو اوپنگ کلاز ہیں ان کو پھر دیکھ کے اور میں نے جو اعتراض کئے ہیں ان پر غور کرینگے۔ اور اس طرح سے اس بل کا سدھار کرینگے۔

ان الفاظ کے ساتھ میں اس بل کے مقصد کا سمرتھن کرتا ہوں۔]

کہ اس کو سزا دی جائیگی جو تین سال تک ہو سکتی ہے۔ لیکن آگے بڑی خوبصورتی سے ساری سزا کو ختم کر دیا گیا ہے۔ یہ کہہ کر کہ اس پر فائین بھی کیا جا سکتا ہے یا دونوں چیزوں ہو سکتی ہیں۔ جہاں تک فائین لگانے کا سوال ہے جن لوگوں نے ایکمال ٹرانسفر کرکے دو-دو لاکھ بانیج یا دس لاکھ کی کمائی کی ہے۔ ان پر اگر بانیج ہزار یا دس ہزار کا فائن بھی ہو جائے تو ان کے لئے کوئی بڑی بات ہوگی۔ ضرورت اس بات کی بھی کہ اس میں لازمی طور پر بنشمینٹ صرف سزا کے طور پر ہی رکھا جائے۔ اور اگر فائین رکھا بھی جائے تو بڑا ہونا فائین رکھا جانا چاہئے تھا۔ جس سے کہ واقعی اس چیز کو روکا جا سکے۔ دو چار ہزار فائین رکھنے کے کوئی معنی نہیں ہیں۔ اس کے علاوہ ہو سکتا ہے کہ ۱۰۰ روپئے فائین کرکے بھی ہال دیا جائے۔ اس لئے میں سمجھتا ہوں اس کو یہاں پر ختم کرنا چاہئے

بس ہی چند جملے کہ اپنی طرف سے بھی بے دیا یہ بہت عجیب کی بات ہے اور بڑی حیرانگی کا سوال ہے کہ کوئی آ کر یہ کہے کہ مجھے ہاں معلوم کا اس طرح کی چیز ہوئی۔ تو اسکو معلومی ہل جائیگی۔ یہ تو وہی بات ہوئی کہ جو کہے مجھے یہ نہیں معلوم کہ دودی کرنا جرم ہے اسلئے اسے چھوڑ دیا جائے۔ یہاں پر جان بوجھ کر بہت سی خطرناک قسم کے لوپ ہولز رکھے گئے ہیں جن سے اس بل کا مقصد ہی بالکل بے کار ہو جاتا ہے۔ مجھے اس بات کی خوشی ہے کہ ہمارے ورکس اور ہاوسنگ منسٹر نوجوان ہی نہیں ڈائنامیو بھی ہیں۔ میں امید کرتا ہوں کہ وہ دلی کی بڑھتی ہوئی آبادی کے خاص حالات کی طرف دیکھیں۔ آج کالونیز بستی چلی جا رہی ہیں۔ لیکن ایسی

13'30 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

*SHRI T. S. LAKSHMANAN (Sriperumbudur) : Mr. Deputy-Speaker, Sir, I am grateful to you for having given me an opportunity to participate in the discussion on the Delhi lands (Restrictions on Transfer) Bill on behalf of the Dravida Munnetra Kazhagam. Finding that the land prices in Delhi were soaring the Government decided fifteen years ago to acquire 36,000 acres of land in Delhi Union Territory for the proper development on planned basis. They also proceeded to acquire the land. They also constituted an authority under the name 'Delhi Development Authority' and through this organisation the land was being developed and the developed plots were being sold to people for building houses and setting up industrial units. This work of the Delhi Development Authority is still cantinuing.

Though the land acquisition process is going on for some years, we find even today, in newspapers, advertisements from private colonisers offering plots to the people in Delhi, though there can be no legal sales of such plots. We also see in Delhi unauthorised colonies springing up everywhere. What do these indicate ? Because of the inept handling of the matter by the Delhi Administration, we find the unwary and gullible public are being cheated by the unscrupulous colonisers.

Whenever land is acquired by Government or is sought to be acquired by Government, why should not the Administration put up notice boards in the areas acquired or under acquisition announcing the fact of acquisition or the intention to acquire ? The intending buyer of a plot is most certainly likely to inspect the area in which the plot was purported to be available. The moment he finds the notice boards or otherwise comes to know that the land was acquired by Government, he would automatically dissuade himself from going in for that piece of land. I would like to know whether any steps were being taken by the Administration to inform the general public about the areas acquired or intended to be acquired by Government ? If this has been done we would not be facing the problem of illegal transfers of land.

Sir, I would like to point out here that the educated and well informed persons would not be the victims of such illegal transfers by the private colonisers. It is the poor and ordinary people who fall a prey to the unscrupulous private colonisers. The little savings that they possess after years of toil are sought to be invested by the unwary people in plots offered by the private colonisers who offer attractive terms and ultimately they get duped. They lose their life-long savings as well as the plots they were supposed to buy.

This kind of malpractices has been there in Delhi for the last several years. The hon. Minister himself has stated that this situation has assumed serious proportions. I regret, Sir, that there should have been so long a delay in bringing forward this legislation to curb the illegal sale of plots by private colonisers, though the Government were very much aware of the problem for a long time.

Sir, belated though this measure is, since the Government had at last woken up to the situation facing the people of Delhi and have brought forward this Bill to curb the deceitful activities of the colonisers through law, I extend my support to the Bill.

With these words, Sir, I conclude.

SHRI R. D. BHANDARE (Bombay Central) : Mr. Deputy-Speaker, Sir, the objects and the aims of the Bill are quite laudable, acceptable, and there could be no opposition to that. First of all, I would like to congratulate the hon. Minister for his exposition of the aims and objects of the Bill.

Sir, I would like to have two or three clarifications. Firstly, I would like to draw the attention of the hon. Minister to clause 2, sub-clause (e) which says :

> " 'Scheme' means the scheme of acquisition of land for the planned development of Delhi and includes any scheme, project or work to be implemented in pursuance of the provisions of the Delhi Master Plan as approved by the Central Government under sub-section (2) of section 9 of the Development Act."

*The original speech was delivered in Tamil.

I think, this sub-clause (e) is so dangerous that is will destroy all the colonies occupied by the poorest of the poor around the city of Delhi because the Master Plan will, certainly, given the right, the power, to the Administration to ask these people to go away under the name of the "Scheme".

I must also remind the hon. Minister who had said that the Master Plan would be changed so as to not only accommodate those who reside in jhugi-jhonpries and have some sort of permanent or semi-permanent roof over their head but that all other amenities will be provided for them. For that purpose, the Minister had already made an announcement that the Master Plan would be changed. But here is a peculiar provision which says that for the purpose of implementing this scheme the Master Plan will be so operated as to defeat his own announcement, and defeat his own object, to help the poor and needy who are residing in juggies and jhonpries, a number of them around the city of Delhi, under the plea of re-planning the city. With these words, I support the Bill.

SHRI I. K. GUJRAL : Sir, I am very grateful to the House for so much of co-operation from all sides of the House to the spirit of the Bill. My hon. friend, Shri Bhandare and another friend from the opposition have drawn my attention to the plight of the juggi and jhompri dwellers and the poorer sections of the society. We have all our sympathies with them. That is why we have already announced two things. Firstly, we are not removing them until we provide them alternate accommodation. If we go for slum improvement scheme, either we give them built houses or developed plots with all amenities provided. But after the mid-term poll this policy has undergone one more change, and that change is, as far as possible, we should not remove them to outer areas and take them away from their place of work.

Now we have come out with a new scheme, called the environmental improvement scheme for the jhuggi and jhonpri dwellers and slum-dwellers throughout India. We are giving hundred per cent subsidy to local administrations for provision of basic amenities like water, electricity, flush latrine, drainage and paved street. Under this scheme Delhi is being given Rs. 2½ crores. The NDMC have submitted some schemes recently and we have already sanctioned Rs. 25 lakhs. Other major cities are also being benefited by this scheme.

One of my friends speaking from the other side of the House mentioned that there will be some danger by the proviso to section 10. But before he reads the proviso, I would request him to read section 10 itself. It refers to offences by companies. If some limited company has committed an offence then the main officers of that company are prosecuted. In that limited context it is said that if somebody is able to prove that although he is associated with the company, he has not actually been a party to the offence, then he can receive the benefit. But if an individual commits an offence this proviso does not apply.

Section 4 has also been referred to and it has been said that why we have provided that the land acquisition proceedings should be finalised in three years. Up till now there is no time limit and that is why sometimes the land acquisition proceedings take much longer than they should have.

We have already acquired a very big chunk. A total of 73,000 acres of land have been notified since 1959. The first notification covered 34,000 acres and the balance was notified from time to time. Out of 73,000 acres notified under section 4, about 67,000 acres have been coverd under section 6. Out of these 67,000 acres about 37,000 acres have been finally acquired and the physical possession of about 34,000 acres has been taken over for planned development. Cases where there are stay orders or areas where amenities and facilities are not likely to be extended within a short period have not been physically taken over. Therefore, now when we make a commitment, we will take over all these within three years. This, I think, will mean all the outstanding grievances in this field should be settled quickly.

My hon. friend, Shri Ishaq Sambhali asked why we should not make it restrospective. It is difficult to make it retrospective, because that will involve thousands of small people, and I am very keen that smaller people should not be harmed by this.

[Shri I. K. Gujral]

Section 9 lays down the penalties. But kindly keep one thing in mind. More than this punishment, we are asking the Registrar not to register sale deeds which will attract the mischief of this Section. Therefore, we will be able to prevent this.

It has been rightly pointed out by Shri Ishaq Sambhali and Shri Bhandare that the main emphasis should be on the housing of the weaker Sections. That is why our entire emphasis on housing policy is this. The DDA this year is going to build about 20,000 houses; these house are being built for the weaker sections of the society predominantly. We build for those people whose monthly income is below Rs. 250; and we build for those whose monthly income is between Rs. 250 and Rs. 600; the maximum is that we build for those whose income does not exceed Rs. 1500. Therefore, that emphasis is being laid.

My hon. friend, Shri Ishaq Sambhali, has rightly pointed out that minorities do need protection. I am very much conscious of it... The congestion at old Delhi and Jama Masjid area is to be relieved. People should be persuaded to come out and live in other areas. Whatever help and assistance Government can give in this, we will provide that.

My last word is about the point which Mr. R. D. Bhandare made-about the Master Plan. The Master Plan is a document which lays down the pattern of growth. It also has an in-built provision for revision because any Master Plan which is not revised from time to time in the light of the experience, becomes wooden. No plan, howsoever good, should be allowed to become wooden. Master Plans are made to serve us and we are not meant to serve Master Plans. That also does not mean that when we are going to look at the Master Plan again, we are going to scrap it or that we are going to do anything arbitrarily or that any body is going to be licensed to flout its provisions. The Master Plan will function. The broad area, the main use, has been determined, and if, within that framework, some difficulties are felt, we will try to remedy them; particularly, we will Protect the interests of the weaker sections of the society.

I am grateful to the members for the support given to this measure.

श्री इसहाक सम्भली : उपाध्यक्ष महोदय, मैं एक बात जानना चाहता हूँ। सेक्शन 9 में सिर्फ फाइन के लिए कहा है। इससे एक खतरा पैदा हो गया है। हो सकता है कि लोगों पर सिर्फ थोड़ा सा फाइन हो जाय और वह सजा से बच जायें। इसके बारे में आपका क्या कहना है ?

[شری اسحاق سمبھلی : ایوان صدر مہودے مین ایک بات جاننا چاہتا ہوں- سیکشن 9 مین صرف فائن کے لئے کہا ہے- اس سے ایک خطرہ پیدہ ہو گیا ہے- ہو سکتا ہے کہ لوگوں پر صرف تھوڑا سا فائن ہو جائے اور وہ سزا سے بچ جائیں- انکے بارے مین آپ کا کیا کہنا ہے-]

श्री आई० के० गुजराल : इसमें एक बात का माननीय सदस्य ध्यान रक्खें। यह प्राविजन ऐसा है जिसमें सजा भी है और जुर्माना भी है और उसके मुताबिक हमें उम्मीद है कि अदालतें जुर्म देख कर सजा देंगी। कई दफे जुर्म की नवैयत ऐसी होती है जिसमें ज्यादा सख्त सजा देना ठीक नहीं होता। लेकिन सब से बड़ी बात यह है कि इस कानून के जरिये हम इस खरीद और फरोख्त को रोक रहे हैं। रजिस्ट्रार रजिस्टर नहीं कर पायेगा। इसके बावजूद अगर कोई शरारत करेगा तो फिर उसको जुर्म के हिसाब से सजा मिलनी चाहिए। अब पुराना जमाना तो चला गया जिसमें हर चोरी की सजा हाथ काट लेना था।

श्री अटल बिहारी वाजपेयी (ग्वालियर) : सवाल यह है कि जो जमीन गवर्नमेंट ने ऐक्वायर कर ली है उसकी भी खरीद फरोख्त हो रही है और उसको सरकार रोक नहीं पा रही है। उसको रोकने के लिए आप क्या कर रहे हैं ?

श्री आई० के० गुजराल : इसके लिए इसमें तीन साल तक की सजा रक्खी गई है ।

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to impose certain restrictions on transfer of lands which have been acquired by the Central Government or in respect of which acquisition proceedings have been initiated by that Government, with a view to preventing large-scale transactions of purported transfers or, as the case may be, transfers of such lands to unwary public, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : Now we take up clause-by-clause consideration. There are no amendments to Clauses 2 to 6.

The question is :

"That Clauses 2 to 6 stand part of the Bill."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 7—**(Period of operation of orders of refusal to grant permission to transfer land)**

SHRI DASARATHA DEB (Tripura East) : I beg to move :

Page 3, line 23,—

for "three years" *substitute* "one year" (1)

Page 3, line 28,—

for "three years" *substitute* "one "year" (2)

Page 3,—

after line 27, *insert*

"Provided that any person who has been refused permission under section 3 or section 4 of this Act, may transfer his land, if he has not been paid compensation for the acquired land within one year of the date of issue of acquisition order, and in the case of the land proposed to be acquired, he may transfer such land if it has not been acquired within one year of the proposal made for acquiring the land." (3)

In the Bill it is said :

"Where the competent authority has made any order under section 5 refusing to grant permission to transfer any land or where, an appeal having been filed against such order, the prescribed authority has made an order under section 6 confirming such order, then, the order refusing to grant permission to transfer such land shall be in operation only for a period of three years..."

Here, instead of 'three years', I want to insert 'one year'.

In another case also, instead of three years, I want to insert 'one year' because if grant of permission has been refused for a particular transfer, that order should remain valid only for one year. If you put three years, and in another three years if you find that the land will not be acquired, you will be putting unnecessary hurdless to those people who transfer the land. That is why I want this amendment. I want a proviso to be added on the following lines :

"Provided that any person who has been refused permission under section 3 or section 4 of this Act, may transfer his land, if he has not been paid compensation for the acquired land within one year of the date of issue of acquisition order, and in the case of the land proposed to be acquired, he may transfer such land if it has not been acquired within one year of the proposal made for acquiring the land."

Why I want this amendment is very simple. Because, in my part I have got a very bitter experience about these acquisition proceedings. Very recently in our State during the Bangla Desh war, a large number of plots were acquired by the Government for the purpose of constructing aerodromes. Most of these people are very small peasants

[Shri Dasaratha Deb]

owning 1 bigha, 3 bighas or 4 bighas and like that These people have not been given any compensation Even to-day when we approach the Government the simple answer from the Government is that the acquisition formalities have not been completed and that is why the compensation could not be paid So when these formalities are not completed for years to come, these poor peasants will have to wait for getting their compensation and these poor people cannot afford to purchase land elsewhere nor they would be able to cultivate their land How these poor people can survive without any occupation, I cannot understand That is why I want to put a time limit a year, some restrictions on the part of the acquiring authority that within one year this authority must pay the compensation If they do not pay the compensation within a year this man who owned that land should be free to transfer that land to some other party That is why I have brought this proviso and in the case of the land which is proposed to be acquired, there also I suggest the same because I found in my place, especially in Tripura, certain lands have been proposed by the Government for acquisition and they have issued the notification to the parties expressly saying that the Government was willing to acquire that land

MR DEPUTY SPEAKER This clause relates to those lands which are proposed to be acquired

SHRI DASARATHA DEB In that case if the acquisition has not been made for years to come but the man has to wait for the green signal from the competent authority who acquired that land and ultimately after five years he got the green signal that the land is not to be acquired in this case also I want that even when the Government propose to acquire certain land there should be some limitation that within one year if that land is not acquired by the Government the party should be free to transfer that land That is why my amendment I think the Government will consider the case of these people who are in difficulties

SHRI I K GUJRAL My friend Mr Deb has pointed out the case of those people who have suffered and I have full sympathy with them And, I think, he is justified in saying that people have suffered, because, after acquisition, it takes very long I am certain that unless we are able to tone up our process and our system, with regard to land acquisition, our entire urbanisation scheme would come to nought

SHRI K D MALAVIYA (Domariaganj) Why cannot you do it ? In the present situation, there is a sense of urgency now on almost every front facing us today This notice for acquisition and then the ultimate acquisition of land takes so much time that it becomes useless Therefore, the hon Minister should take up this matter very urgently and try to do something so that the entire law may be changed for hastening the process of acquisition

SHRI I K GUJRAL I would say, I share the views expressed by my friend, Mr Malaviya and Mr Deb I think, not only in Delhi but throughout the country, this mechanism has to be worked as otherwise our whole urbanisation policy and the new type of approach which we are trying to build for socialisation of land will come to nought Unfortunately, I am not in a position to accept the amendment Although we are keen to complete the process in Delhi itself within a very limited time, the difficulty is that the racketeering that is being done, is to be stopped Now in Delhi, for instance we do not want to permit any private land dealings at all And, that is the type of system which we want to extend to the country as a whole I can tell my hon friend that we must try to cut short the period Now it is put as 3 years Previously there was no time limit, but now we have put it as 3 years We will try to cut that also Regarding the Tripura case which he mentioned, I have taken note of that I will get in touch with the concerned authorities to see that it is finalised very soon

MR DEPUTY-SPEAKER There are three amendments, Amendments Nos 1, 2 and 3, moved by Shri Dasaratha Deb to Clause 7 I will put all of them together to the vote of the House

Amendments Nos 1, 2 and 3 were put and negatived

MR DEPUTY-SPEAKER The question is

"That Clause 7 stand part of the Bill"

The motion was adopted

Clause 7 was added to the Bill

Clauses 8 to 11 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI I K GUJRAL I beg to move

'That the Bill be passed"

MR DEPUTY-SPEAKER Motion moved

"That the Bill be passed"

श्री अटल बिहारी वाजपेयी (ग्वालियर) उपाध्यक्ष महोदय, केवल यह कानून पास करने मात्र से दिल्ली की समस्याये हल नही होगी। जब तक जो जमीन सरकार लेती है उसका तुरन्त विकास करके या तो उस पर मकान बना कर या उसे मकान बनने के लिए देने की प्रक्रिया से तेजी लाने की कोशिश नही करती है तब तक यह समस्या उलझी रहेगी। मत्री महोदय अच्छी तरह से जानते है कि दिल्ली मे मकानो का अभाव है। प्रतिवर्ष दो लाख लोग दिल्ली मे आ रहे हैं। मकान बनाने की जो जमीन है वह सरकार ने अधिग्रहीत कर ली है। उसका विकास करने मे देरी हो रही है और कुछ लोग इस स्थिति का लाभ उठा कर धडाधड जमीन बेच रहे है। मकानो का निर्माण भी बेशुमार हो रहा है और निर्माण बेतरतीब हो रहा है। निर्माण संगठित तरीके से नही हो रहा है। लेकिन एक बात स्वीकार करनी पडेगी कि लोग अपना सिर छिपाने के लिए छत जरूर डाल रहे है। फिर उन्हे हटाने का जब सवाल आएगा तब मानवीय समस्या पैदा होगी और सरकार को और राजनीतिक दलों को भी उस पर विचार करना पडेगा। सचमुच मे तो परिस्थिति ऐसी पैदा होनी ही नही चाहिये कि मकान बन जाएं और बाद मे उनको हटाना पडे। लेकिन दिल्ली मे यह परिस्थिति चल रही है। जो लोग मकान बनाते हैं केवल उन्ही को सजा देना काफी नही है क्योकि जब अनधिकृत बस्तियाँ बनती है तो उनमे और भी लोगो का हाथ होता है। सारी सजा उन्ही को दे दी जाए, यह भी उनके साथ न्याय करना नही होगा।

मास्टर प्लान की आपने चर्चा की है। मै सहमत हूँ कि मास्टर प्लान को हम एक पवित्र चीज मान कर नही चल सकते। मैं सदन मे नही था। शायद आपने संकेत दिया हो कि मास्टर प्लान मे आप कौन से सशोधन करना चाहते है। मास्टर प्लान को बदलने की बात हो रही है। किस दिशा मे उसको बदला जाएगा वह भी तस्वीर जनता के सामने जल्दी से आ जाए, इस दृष्टि से भी प्रयत्न करने की आवश्यकता है।

मत्री महोदय ने फ्री होल्ड और लीज होल्ड के विवाद की चर्चा की। उन्होने लीज होल्ड की वकालत की है। लेकिन जो तर्क दिए वे गले के नीचे उतरने वाले नही है। पाकिस्तान के निर्माण के कारण जो विस्थापित हो कर आए वे यह आशा लगाए बैठे थे कि उन्हे जो जमीन मिलेगी फ्री होल्ड के रूप से मिलेगी। सरकार की ओर से यह बात कही भी जाती रही है। अचानक रवैया बदल गया है जिस के कारण असन्तोष होना स्वाभाविक है। लीज होल्ड का अर्थ यह नही है कि उस जमीन का किस तरह से विकास हो या मकान किस तरह से बनाए जाये इसका नियत्रण हम नही कर सकते हैं। फ्री होल्ड मे भी इसको नियंत्रित किया जा सकता है। टाउन प्लानिंग हो सकता है। लेकिन कही न कही जा कर तो जिस जमीन पर मकान बने हुए हैं उसमे रहने वाले उसके मालिक बनें, इस प्रकार की व्यवस्था करना जरूरी होगा। मैं समझता हूँ कि इस विधेयक से हमारा मतभेद नही है। लेकिन इससे जुडी हुई जो समस्यायें

[श्री अटल बिहारी वाजपेयी]

हैं, उन पर गहराई से विचार करने की आवश्यकता है ।

SHRI I. K. GUJRAL : I am grateful to my hon. friend for having raised some pertinent issues. I would like to let him know my point of view on these points, particularly the Government's point of view also. I am in agreement with him that development must be speeded up. But as he knows as well as all of us do, development has two parts. One is the physical mechanics, and the other is the investment.

The difficulty at the momen' which the country as a whole is facing particularly in the sphere of urbanisation is investment. In Delhi, for instance, we tried to build up a revolving fund with the D D. A. We started with Rs. 5 crores, and now we are at a stage when we have got about Rs. 90 crores. As money has started growing, the speed has also come in.

I just now gave figures about the land acquired and land developed, and I think on the whole the performance of the D. D. A. has been reasonable; I would not say 'satisfactory' because satisfaction must still be achieved, because even if we build 20,000 houses, the inflow, as pointed out rightly, is about 2 lakhs and the shortfall increases by about 2 lakhs units per year. Therefore, it is very important that the construction programme and the development programme must be speeded up and I am sure that with the cooperation of all the citizens of Delhi it will be possible for us to speed it up further. People build definitely out of necessity, and we have sympathy with the people. The people who come to the towns from the rural areas do not just come like that but they come because the employment potential is unfortunately often situated and stationed in bigger cities and bigger areas. That wal why I said a little while ago that urban psanning could only achieve results if it was closely coordinated with economic planning. It cannot be bifurcated. That is why it is very important for us to see that we diffuse the means of employment. That is why the factories and industries must be sent to the villages, and the agro-industrial pattern must grow so that migration can be contained. But even then, there will be migration, and if that migration is important for us, then not only should we plan Delhi and the metropolitan cities only but we should plan the regions around to cities so that filter towns and satellite towns can be built and people need not come to the core of the town where everything becomes expensive to rehabilitate them. Therefore, it is a long-term thing, and it is a time-consuming thing. But we are not in a position to meet the whole challenge the whole hog.

SHRI K. D. MALAVIYA : What will be done to solve this small point but which is an important part of a very big story ? As everyone knows, two lakhs of pepole are coming every year to settle here. Is it possible for any Government in the present framework of its limitations to settle them and make arrangements for water, electricity and housing and occupation and road and transport when the whole cost is mounting up ? Therefore, the basic problems involved in this should be considered by Government.

SHRI I. K. GUJRAL : I have said here and also out side and I would like to repeat agian that the consciousness of urbanisation is very slow and it is coming very slowly in this country. It is very unfortunate that we have not become urbanisation-conscious earlier. Even in this country where approximately 72 towns have now got their master plans, except Delhi, I do not know—perhaps there may be one or two more towns—of any where the master plans are being enforced even. Even in the metropolitan cities of India where master plans have been made, they have not been given legal strength. The result of it is that the master plans become only academic For instance, let me give you one example. The degeneration of Kanpur which is going on fast in the Calcutta way is because of...

SHRI K. D. MALAVIYA : Chaos.

SHRI I. K. GUJRAL : ..precisely the fact that master plans are not being enforced. My hon. colleague Shri Yeshwantrao Chavan is stting here beside me, and he knows very well that Bombay is also fast going that way.

It will be a great misfortune if after our cities are allowed to degenerate like this we deal with the problems as they arise when we reach Calcutta's fate. I think it is very important that urbanisation consciousness grows; and I am not for lobbies, but if I can use the word lobby, it is in the sense of consciousness, and this country definitely needs an urban lobby, because the urbanistion problems must be understood.

14 hrs.

SHRI K D MALAVIYA : The policy of restriction.

SHRI I K. GUJRAL : Restriction not in the sense of asking people not to come. Containment can only be on the basis of some economic plans. It cannot be on the physical plans basis. No country in the world has been albe to do it except China, but I do not want that way, because our system and our society are very differant.

My friend Shri Vajpayee also asked the question that when the Master Plan is being revised, which way will it go. The Master Plan will not be revised arbitrarily. The Master Plan is a scientific document, based on studies and its revision will also be on a scientific basis, based on studies.

I will give one example. We had one chapter in the Master Plan, about the growth of Connaught Place. But when some areas grew with the coming up of some multistoreyed buildings, we realised that we were going the wrong way.

SHRI PILOO MODY (Godhra) : No, that is only the statement of the Prime Minister.

SHRI I. K. GUJRAL : That is my statement, and Mr. Piloo Mody in private agrees with me.

SHRI ATAL BIHARI VAJPAYEE : He is an architect.

SHRI I. K. GUJRAL : Architect only outside. In his personal life, he builds. In his public life he destroys.

The main point that I wished to stress is that when we think of revising the Master Plan pertaining to Connaught Place we are conscious of the multistoreyed buildings having generated traffic problems, sewer problems, water problems and problems of parking. Therefore, we are revising the Plan in that context.

Mr. Piloo Mody was invited to a seminar to discuss this. Unfortunately, Mr. Piloo Mody seldom participates in serious discussions. If he had come to that seminar, he would have had the opportunity of giving his views on the Master Plan, and the changes as well.

SHRI PILOO MODY : The seminar was called at his convenience. Therefore, he attended it. Had it been called at my convenience, I would have attended it. Apparently, the organisers thought that he was most important in the seminar and not others I cannot help it.

SHRI I. K. GUJRAL : Mr. Mody must adjust his private convenience to suit public convenience, and therefore he must draw his programme in such a way as to suit things where a bigger cause is involved. His Bombay visit could have easily been postponed.

My friend Mr. Vajpayee had talked about leasehold and freehold. I ask him only one question. Where does the land come frome ? If I acquire the land from an agriculturist, whom we will pay what we call a social price, and then we should give it to those who build houses and give it to them on freehold so that as the land value rises, they can profit by it ? Is it justified socially ? Should not the benefit go to society ? I will give one example. On the Barakhambla-Curzon Road area, in the 1930s, the Government gave the land at Rs. 5,000 per acre. Today the land value is Rs. 50 lakhs per acre there. Should the benefit go to the owner because at one stage he got the land cheap from us ? Siince the city is developing, land values are ristng. Leasehold has an inbuilt advantage that the cost of urbanisation can be met from the land itself. I hope my friend Mr. Vajpayee and his party, know that the elections are over, will revise their opinion about this.

Then, he spoke about refugees. I am a refugee myself, and I know the pains of being a refugee much better.

SHRI PILOO MODY : You do not look like one.

SHRI I. K. GUJRAL : If I do not look like one, surely, neither Mr. Vajpayee nor Mr. Piloo Mody look like one; they have prospered, both of them, because they were not refugees Therefore, while extending sympathies. Mr. Vajpvee and Mr. Piloo Mody must understand that the refugees today do not want sympathy. They want their due share, and society has given to them their due, fortunately in Delhi, and I am proud that we are able to play our role as progressive sections of society, and we will go on discharging this, whatever we are called upon to do.

MR DEPUTY SPEAKFR · The question is :

"That the Bill be passed "

The motion was adopted

14·08 hrs.

MOTION UNDER RULE 388

SUSPENSION OF RULE 74 IN RESPECT OF GENERAL INSURANCE BUSINESS (NATIONALISATION) BILL

MR. DEPUTY-SPFAKER : Shri Chavan.

SHRI SURENDRA MOHANTY (Kendrapara) : I am raising a point of order My point of order is this Of late it is found that suspension of the first proviso to rule 74 has almost become a fashion Every time the Government comes with this motion for suspension.

MR. DEPUTY-SPEAKER : There are two things One is, opposion to the motion to be moved by the hon Minister and I have names of a few Members who want to speak on that. What is your point of order ? If it is different from that, I shall hear you.

SHRI SURENDRA MOHANTY : This is violative of the rules of procedure. You can throw the rules of procedure in the waste paper basket.

MR. DEPUTY-SPEAKER : That is going to be considered now.

SHRI SURENDRA MOHANTY : The second point is this It is a Money Bill...

MR. DEPUTY-SPEAKER : You are a senior Member and you have had a lot of parliamentary background. Is this a point of order now ? Let tne Minister move this motion. You can say these things only at the oppropriate stage.

SHRI SOMNATH CHATTERJEE (Burdwan) : We do not find any recommendation from the President

MR DEPUTY-SPEAKER · It is there; it was published on the 27th of this month.

THE MINISTFR OF FINANCE (SHRI YESHWANTRAO CHAVAN) · I beg to move ·

> "That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment for the regulation and control of such business and for matters connected therewith or incidental thereto, to a Joint Committee of the Houses."

SHRI SFZHIYAN (Kumbakonam) : Sir, I rise to oppose this motion on two grounds—procedural and constitutional It is a painful fact that every day the Government comes forward in this House to suspend this rule or that rule Yesterday, there was a motion to suspend a rule to introduce a Bill with regard to Aligarh Muslim University. Actually two rules had to be suspended, the rule to give seven days' notice to the Speaker and the rule to give the Bill to the Members two

days before its introduction in the House; both these rules were suspended. It looks as if the order of the day is to suspend one rule or other and introduce Bill after Bill. In that case, we need not have any rules of procedure at all and every day we can have our own rules.

I want to draw the attention of the House to a very pertinent observation made by the Speaker just five months ago, in December, 1971. At that time, because the Bill for the formation of the North-Eastern Council had to precede the passing of the Constitution Amendment Bill Mr. K. C. Pant moved for suspension of Rule 66. At that time, the Speaker said :

> "This was a very tight programme. I have been relaxing it after declaration of the emergency. Just as war-hit areas have to be rehabilitated, we will have to rehabilitate our procedure also after this session. This should not be taken as a precedent. I am not going to follow it in the next session."

Because of the peculiar conditions prevailing then, the Speaker was kind enough to suspend the rule and he gave a strict ruling that from the next session he would not allow such suspension.

I now come to the basic Constitutional point: The motion moved by the Finance Minister has this effect that without suspending Rule 74 proviso, he cannot form a Joint Committee to which the Bill is to be referred. Rule 64 deals with motions after introduction of Bills. The proviso reads thus :

> "Provided that no such motion as is referred to in clause (iii)—*i. e.* referring the Bill to a Joint Committee—shall be made with reference to a Bill making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution."

Sub-clauses (a) to (f) of article 110 (1) define Money Bills. A Money Bill can be introduced only in this House and therefore it can be referred only to a Select Committee of this House and not to a Joint Committee.

He may want to make a distinction between a Money Bill and a Financial Bill. Article 117 which deals with special provisions as to financial Bills reads thus :

> "(1) A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States."

That means, the present Bill cannot be introduced in the Council of States. I am not going into the merits of the Constitutional provision. Rightly or wrongly that provision has been made. Bills coming under article 110 (1) can be introduced only here. So, ifyou are going to suspend rule 74 and refer this to a Joint Committee, it will be unconstitutional and it will go against the letter and spirit of the Constitution. If it is a Money Bill or financial Bill, it can be introduced only in this House. After this House passes it, it can be referred to Rajya Sabha. Rajya Sabha can make some recommendations. Then the Bill with those recommendations comes here. If the Lok Sabha accepts those recommendations, then those recommendations become a part of the Bill. Otherwise, the Bill as passed by the Lok Sabha stands and the amendments made by Rajya Sabha have no effect on the Bill. That is the special provision obtaining for financial Bills. In the case of a Bill which can be introduced only in Lok Sabha and which cannot be introduced in the Rajya Sabha, if you allow that Bill to be referred to a Joint Committee, that means you are going to take some members from Rajya Sabha into the Joint Committee. They can propose some amendments in the Joint Committee before this House passes this Bill. Once they come to the Joint Committee and make a recommendation, the report will not disclose which member made which amendment, whether it has been moved by a Rajya Sabha member or not. That means that a member of the Rajya Sabha, who is precluded by the Constitution from taking part or influencing the decision of the Lok Sabha in a financial Bill, he gets the prerogative or right in the Joint Committee to make suggestions on a financial Bill, which has been denied to him specifically by the Constitution. This will mean that he can make some recommendation in the Joint Committee,

[Shri Sezhiyan]

which will be incorporated in the report of the Joint Committee, this will be incorporated in the report of the Joint Committee, this will be going against the spirit and letter of the Constitution So, it is very unconstitutional to refer this Bill to a Joint Committee

Here I want to give a precedent When life insurance was nationalised in the year 1956, when a Bill was brought to nationalise life insurance, at that time it was referred to a Select Committee, and not a Joint Committee It was on the 20th March 1956 that this House referred the Life Insurance Corporation Bill to a Select Committee It was not referred to a Joint Committee because that would be violating the very letter and spirit of the Constitution Therefore from this point also it is procedurally very bad and unconstitutional

It may be pleaded on the other side that this procedure will avoid duplication of work because otherwise Rajya Sabha will set up its own Committee But that is a different matter After the Select Committee of this House has considered the Bill, we pass the Bill and it goes to the other House The Rajya Sabha may appoint a Select Committee of its own or it may pass that Bill with some amendments But those amendments will not become effective unless they are agreed to by the Lok Sabha Therefore, Rajya Sabha cannot have a say so far as financial matters are concerned

This is a very valid procedural and constitutional point and I want this to be decided purely on merits, and not on the basis of numbers Sir, I seek your guidance on this very fundamental constitutional point We should not accept this motion which is unconstitutional

SHRI PILOO MODY (Godhra) Therefore, we can grant leave to the Finance Minister to withdraw his motion

श्री अटल बिहारी वाजपेयी (ग्वालियर) उपाध्यक्ष महोदय, मैं श्री चह्वाण के प्रस्ताव का विरोध करने के लिए खड़ा हुआ हूँ। जो बातें श्री सैझियन ने कही है मैं उन्हें दोहराना नहीं चाहता। वे बातें इस सदन में पहली बार विचार के लिए उपस्थित नहीं हुई हैं। रूल 74 में संशोधन करने की बात 1953 में उठी थी और रूल्स कमेटी ने उस समय जो फैसला किया वह मैं आप के और सदन के सामने रखना चाहता हूँ। मैं रूल्स कमेटी में से उद्धृत कर रहा हूँ.

> 'Under articles 109 and 117 of the Constitution money Bills and financial Bills can be introduced only in the House of the People and as such are primarily the concern of that House Therefore, in consonance with the spirit of the Constitution such Bills should be dealt with exclusively by committees of the House of the People In view of the limited powers in financial matters conferred under the Constitution on the Council it would not be in conformity with the spirit of the Constitution to refer such Bills to a Joint Committee which involves association of members of the other House who might be placed in a position to influence the decisions of the Committee
>
> 'The proposed amendment was therefore intended to provide that with respect to Bills which shall not be introduced in the Council of States no motion could be moved for reference of such Bills to a Joint Committee of both Houses The amendment was agreed to by the Committee'

रूल्स कमेटी ने इस बात को स्वीकार किया है कि जो भी फाइनेन्शल बिल्स होंगे, वे ज्वाइन्ट कमेटी में नहीं भेजे जा सकते, यद्यपि मनी-बिल्स के लिये स्थिति साफ है। इस लिये मेरा निवेदन है कि इस नियम की परवाह किये बिना यह प्रस्ताव पेश कर दिया गया है। यह प्रस्ताव स्वीकार नहीं होना चाहिये। सिलैक्ट कमेटी बननी है तो इस हाउस को बने और दूसरा हाउस चाहे तो अलग सिलैक्ट कमेटी बना कर विचार कर सकता है। यह तर्क ठीक नहीं है कि दो सिलैक्ट बनेंगी, दोनों अलग-अलग विचार करेंगी, इस लिये यह अच्छा है कि एक ही कमेटी

बना दी जाय। और इस चीज को हम और आगे बढ़ायेंगे तो फिर दूसरे हाउस की आवश्यकता ही नहीं रहेगी। यहां हर चीज पर चर्चा होती है, उसके बाद वहां चर्चा होती है फिर तो मैन्ट्रल हाल में बैठ कर इकट्ठे चर्चा कर सकते हैं और जो चाहें पास कर सकते हैं।

इस लिये संविधान में जो कुछ लिखा हुआ है उसको देखते हुए और रूल्ज कमैटी की फाइण्डिंग्ज को देखते हुए यह बिल ज्वाइन्ट सिलैक्ट कमैटी में नही भेजना चाहिए, एक ही सिलैक्ट कमैटी में भेज सकते है जो कि इस हाउस की हो सकती है।

SHRI G. VISWANATHAN (Wandiwash): Sir, I rise to oppose the Motion moved by Shri Yeshwantrao Chavan. If we accept the Motion of Shri Yeshwantrao Chavan, suspending Rule 74, we will be violating the Constitution. Not only that. We will be waiving our own rights and prerogatives. There are certain rights and prerogatives of this House, namely, of Lok Sabha over Rajya Sabha.

I would like to refer to article 109 of the Constitution. I am reading only a relevant portion. Article 109 says:

> "(1) A Money Bill shall not be introduced in the Council of States.
>
> (2) After a Money Bill has been passed by the House of the People, it shall be transmitted to the Council of States for its recommendations and the Council of States shall within a period of fourteen days from the date of its receipt of the Bill return the Bill to the House of the People with its recommendations and the House of the People may thereupon either accept or reject all or any of the recommendations of the Council of States."

It is clear that it is the prerogative of the House of the People to accept or reject the recommendations of the Council of States. It cannot be introduced in the other House. So, if we accept the suspension Motion moved by Shri Yeshwantrao Chavan, we will be waiving our own rights and prerogatives enjoined by the Constitution.

As the custodian of the rights of this House, I request you, Sir, not to allow this Motion to be brought before the House and I request the House to reject the Motion. Otherwise, we will be watering down the authority and the power of this House and we will be waiving our own rights and prerogatives also.

SHRI SURENDRA MOHANTY: I have nothing more to add.

SHRI YLSHWANTRAO CHAVAN: Sir, I think, unnecessarily, this point has been complicated by referring to the Constitutional aspects.

It is true that this is a financial Bill. Under the Constitution, the only limitation is that it cannot be moved in the other House, that is, in the Council of States. This is the only condition There is no question of moving this Bill in the Council of States.

The only question raised was as to whether this can be referred to the Joint Committee and that this Rule, certainly, was coming in the way. It is exactly where we have come for the consent of the House for the suspension of the rule. If the House does not agree to that, that is a different matter. There is no provision in the Constitution that there shall not be a Joint Committee. The only direction that the Constitution gives is that no Money Bill or financial Bill shall be moved in the Council of States and that it shall be moved in the House of the People.

The only point is that I am referring this Bill to the Joint Committee Certainly, the House would be interested to know why I am trying to do this also. It is a very important Bill. Time is a very essential factor in this matter. We are moving this Bill at the end of the session so that the inter-session period can be made use of for discussing the clauses of the Bill in greater detail. Now, suppose the Bill comes back here if it is only referred to the Select Committee of this House— and goes to the Rajya Sabha. The Rajya Sabha, in its wisdom might possibly think of referring it to their own Select Committee for consideration. They can do that. So, it is a time-consuming process Really speaking, in the interest of a very important measure like this—it is certainly the pleasure

[Shri Yeshwantrao Chavan]

of the House to say no—it is my duty to make a recommendation to the House that it does give its consent to it, in exceptional circumstances, to see that an important Bill is passed quickly and in as short a time as possible.

SHRI SEZHIYAN : Our plea is that it should not be a question of the Minister bringing forward a motion and getting it passed; it may be carried by the House...

SHRI ATAL BIHARI VAJPAYEE : They have all the votes and we have all the arguments. You give your ruling. Sir, (*Interruption*).

SHRI H. N. MUKERJEE (Calcutta—North-East) : I have rarely heard sophistry as has fallen from the lips of the Finance Minister. If the intention is to get down to the spirit of the Constitution and the rules, it is a different matter. Only by saying that Government wants to expedite the passage of this Bill, you cannot do it. If Government really wishes to expedite the Bill, they can get the Rajya Sabha to pass it after we have made our report. Why must we assume that the Rajya Sabha is so constituted that it is very likely to delay everything after we have made our report through our own committee ? The Constitution and the rules together, particularly in view of the observations of the Rules Committee in regard to Financial Bill, make it very clear that association of the Rajya Sabha—it is a matter of principle—, association of the Raya Sabha members in the formulation of a money Bill, or a financial Bill, whether by way of having it moved in one House or the other or by way of association in a Joint Select Committee, is something which the Constitution does not allow. If we want to equate the two Houses, well and good; let us go ahead with it. But if we do have the separation between the two House, we can not do this short of thing There is a great deal of difference between moving a Bill here and moving for a Joint Committee. He does not seem to see the point that Mr. Sezhiyan made that the Joint Committee would mean the instant participation of Rajya Sabha members in the formulation of the Bill and, therefore, it is not correct for the Finance Minister to say that, that does not bring the Rajya Sabha into the picture. Reference of this Bill to the Joint Committee means at once, on the same party basis, that Rajya Sabha members would discuss this Bill. I have nothing, personally, against the members of the Rajya Sabha. If, under the Constitution, they have not got that sort of right, why should we give it to them ? (*Interruption*) That is why I feel that it is completely wrong of the Finance Minister to suggest this sort of thing. And it passes my understanding why Government, with its massive majority in either House, has to take recourse to this sort of stratagem-unnecessarily try to suspend the rule and that sort of thing It is setting a very bad precedent. If they want to do away with Parliamentary procedure, I am ready to welcome that. I do not swear by this sort of apparatus. You always violate the form and spirit of the rules and of the Constitution.

SHRI INDRAJIT GUPTA (Alipore) : You will have to consider whether rule 74 can be viewed in isolation from article 110 because what the Minister has said and what he has proposed really amount to this. Article 110 is, of course, not being directly violated by his proposal because it has nothing to do with constitution of Select Committee; it is only a question of introduction. But he says that it does not preclude him from moving for suspension of rule 74. It is my suggestion that rule 74 and article 110 are inextricably linked with each other. Rule 74 has not fallen from the sky; it has not been suddenly formulated in a vacuum. Rule 74 derives from article 110. It is only because article 110 has laid down specifically that a financial Bill or a money Bill cannot be introduced except in the Lok Sabha, it is that it has constituted the basis for formulating subsequently rule 74. It has linked the question of introduction of the Bill with the kind of setting up of the Select Committee. Therefore, as explicitly laid down, it cannot be referred to a Joint Committee of the two Houses. Therefore, you cannot see these two things in isolation from each other and say that the Constitution is not being violated but this rule can be set aside. the rule has followed from that Article 110. Otherwise, it could not have been formulated at all.

SHRI PILOO MODY : The excuse that

is being trotted out is that all this is being done to "save time" for something which is supposed to be "so important." The relevant things are : (1) it is very important and (2) it saves time. If it was to go to a Select Committee of the House, I assume that the Select Committee would use the vacation and discuss the Bill and bring it forward on the opening day of the monsoon session. Thereafter the Bill can be sent to the Rajya Shbha. The Government does not necessarily have to accept thereafter a committee of the Rajya Sabha to go into the Bill once again. The Government at that point can perhaps be little firm and deviate from the rule. At that point, instead of wrecking the Constitution, wrecking the procedure in this House and instead of wrecking the Rules of Procedure it can be firm in the Rajya Sabha by not accepting that the Bill be again refered to a Select Committee of the Raja Sabha and pass it. I don't think there is any difference between the procedure recommended by me and the procedure that is going to take place in any case and, therefore, to say that it is "so important" and it is "so necessary" for doing this, I don't think is a plausible excuse.

SHRI SOMNATH CHATTERJEE : Mr. Deputy Speaker, Sir.

MR DEPUTY SPEAKER : There should be an end somewhere.

SHRI PILOO MODY : The end is by withdrawing the motion.

SHRI SOMNATH CHATTERJEE : The motion before the House is for the suspension of only the proviso to Rule 74 and not Rule 74 altogether. Kindly see Rule 388 of the Rules. It says that any Member may move with the consent of the Speaker that any rule be suspended—and if the motion is carried, the rule in question shall be suspended for the time being. Now, the proposal is to suspend the proviso only and not the Rule itself which is not contemplated by 388 and the proviso is only suspended which, I think, is not possible.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : The whole includes the part also.

SHRI SEZHIYAN : The Rules of Procedure have not been created by us. They also have the constitutional sanction. Art 118 of the Coustitution says :

> "Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business."

Fortunately Art. 117 says that no Financial Bill shall be introduced in the Council of States.

It is violating the provisions of the Constitution. Therefore, I submit that it should not be viewed whether the House wants it or not, whether there is a majority for the motion or not. I want you to go into the spirit of the Constitution, not minority or majority. First of all I appeal to you, because only with the consent of the Chair it can be moved. If you are convinced that there is a constitutional basis for our objection, you should not give consent. Again I appeal to the Treasury Benches that they may refer it to the Select Committee. The Life Insurance Corporation Bill which was one of the biggest events, was referred to a Select Committee, not to a Joint Select Committee. The same procedure can be adopted here also. If you want the co-operation and if you want it to be finalised within a certain time, we will certainly co-operate with you and fix a firm date. But don't violate the Constitution. Don't go against the spirit of the Constitution.

MR. DEPUTY-SPEAKER : Shri Sezhiyan has referred to the observation of the Speaker during the last session on the situation regrdrding the suspending of certain rules. Shri Atal Bihari Vajpayee has also read extensively from the observations of the Rules Committee. Now, I take it that all these were taken into consideration before this motion was put on the Order Paper.....

SHRI G. VISWANATHAN : How do you know, Sir ?

MR. DEPUTY-SPEAKER : It is in the Order Paper, obviously, with the permission of the Speaker, and, therefore, I would not go into that.

SHRI G VISWANATHAN . How do you presume that ?

MR DEPUTY-SPEAKER Anything which come on the Order Paper is with the whnsent of the Speaker, and, therefore, I am coot going into that The question is now nbefore the House

The question before me is limited, namely wh ther I should put this question to the House That is the question with which I am concerned

Now, I would like two things to be clear to hon Members One is that this is not a question of the introduction of a money Bill or a financial Bill in the Council of States It has not been introdueed there It has been introduced here, and, therefore, the position is clear on that question Now, it is only a question of a motion seeking to associate some Members of the Council of States in the joint Committee. .

SHRI ATAL BIHARI VAJPAYLL Of suspending the rules

MR DEPUTY-SPEAKER Before I come to my conclusion, I would like to make one other observation Another thing that we have before us is that it is the normal practice that the reports of all our committees, Select Committee or Joint Committee are unanimous reports, they come as one report before the House The report of this Joint Committee will come back to this House..

SHRI ATAL BIHARI VAJPAYEE They are not necessarily unanimous reports Notes of dissent can be given

MR DEPUTY SPEAKER They may be given.....

SHRI ATAL BIHARI VAJPAYEE Those are not PAC or PU Committee's reports

MR DEPUTY-SPEAKER Anyway it comes back to this House and it does not go to the other House If the House feels in its wisdom in order to expedite matters, since the Bill will be going to that House after it is passed in this House.... .

SHRI ATAL BIHARI VAJPAYEE : Let it go there...

SHRI PILOO MODY Only for comment

MR DEPUTY-SPEAKER To expedite matters. .

SHRI PILOO MODY Not to formulate laws

MR DEPUTY-SPEAKER To come to the broadest understanding so that there is not much delay, if the House feels that there ould be already come understanding with the other House, so that it is only a process of consultation ..

SHRI PILOO MODY In saying that you have not taken into consideration the point that I had made

MR DEPUTY-SPEAKER I have taken everything into consideration

SHRI PILOO MODY There is going to be no difference in time even this way

MR DEPUTY-SPEAKER In trying to to seek this kind of consultation or association, I do not think that it violates the Constitution Therefore I shall now put the motion for suspending the proviso to the rule .

SHRI SOMNATH CHATTERJEE It is only the proviso which is being suspened and not the whole rule

MR DEPUTY-SPEAKER The proviso is part of the rule

SHRI PILOO MODY You can go ahead and make history

SHRI SOMNATH CHATTERJEE Rule 74 become only partly suspended.....

SHRI RAJ BAHADUR The part includes the whole

MR DEPUTY-SPEAKER Hon Members are only trying to hair—split Our rules are very clear According to our rules .

" 'Minister means a member of the Council of Ministers, a Minister of State, a Deputy Minister or a Parliamentary secretary "

So, the part means the whole and the whole means the part

The question is :

"That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment, for the regulation and control of such business and for matters connected there with or incidental there to, to a Joint Committee of the Houses "

The Lok Sabha Divided

Division No 18] **AYES** [14 41 hrs.

Achal Singh Shri
Afzalpurkar, Shri Dharamrao
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Awdhesh Chandra Singh, Shri
Babunath Singh, Shri
Balakrishniah, Shri I
Banerji, Shrimati Mukul
Barupal, Shri Panna Lal
Basappa, Shri K
Bhagat, Shri H K I
Bhargava, Shri Basheswar Nath
Bhattacharyya, Shri Chapalendu
Bhuvarahan, Shri G
Bisht, Shri Narendra Singh
Brahmanandji, Shri Swami
Chakleshwar Singh, Shri
Chanda, Shrimati Jyotsna
Chandrika Prasad, Shri
Chaudhary, Shri Nitjraj Singh
Chavan, Shri Yeshwantrao
Chellachemi, Shri A M
Darbara Singh, Shri
Daschowdhury, Shri B K
Deo, Shri S N Singh
Deshmukh, Shri K G
Doda, Shri Hiralal
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Ganesh, Shri K R
Ganga Devi, Shrimati
Gautam, Shri C D
Gogoi, Shri Tarun
Gomango, Shri Giridhar
Gopal, Shri K
Gowda, Shri Pampan
Hansda, Shri Subodh
Ishaque, Shri A K M
Jamilurrahman Shri Md
Jeyalakshmi, Shrimati V
Kadam, Shri I G
Kader, Shri S. A
Kailas, Dr
Kakodkar, Shri Purushottam
Kakoti, Shri Robin
Kamakshaiah, Shri D
Kamala Kumari, Kumari
Kamble, Shri I D
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kavde Shri B R
Kedar Nath Singh, Shri
Kisku, Shri A K
Kotoki, Shri Liladhar
Krishnan, Shri G Y.
Kulkarni, Shri Raja
Lakshmikanthamma, Shrimati T
Laskar, Shri Nihar
Lutfal Haque, Shri
Mahajan, Shri Y S
Maharaj Singh, Shri
Maji, Shri Gajadhar
Mandal, Shri Jagdish Narain
Mimmata Agamdas, Shrimati
Mirdha Shri Nathu Ram
Mishra, Shri G S
Mishra, Shri Jagannath
Modi, Shri Shrikishan
Muhammed Khuda Bukhsh, Shri
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli Shri Paripoornanand
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri Tarkeshwar
Pandit, Shri, S. I.

Paokai Haokip, Shri
Partap Singh, Shri
Patil, Shri S. B.
Peje, Shri S. L.
Pradhani Shri K.
Purty, Shri M S.
Radharkrishnan, Shri S.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri
Ram Swarup, Shri
Rao, Shrimati B. Radhabat A.
Reddi, Shri P. Antony
Reddy, Shri M. Ram Gopal
Richhariya, Dr. Govind Das
Rohatgi, Shrimati Sushila
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sankata Prasad, Dr.
Sant Bux Singh, Shri
Sarkar, Shri Sakti Kumar
Sathe, Shri Vasant
Savant, Shri Shankerrao
Savitiri Shyam, Shrimati
Shafquat Jung, Shri
Shambhu Nath, Shri
Shamkar Dayal Singh, Shri
Shankaranand, Shri B.
Sharma, Dr. H. P.
Shastri, Shri Biswanarayan
Shastri Shri Raja Ram
Shastri Shri Sheopujan
Shenoy, Shri P. R.
Shiva Chandika, Shri
Shivappa, Shri N
Shivanath Singh, Shri
Sing, Shri V N. P.
Sohan Lal, Shri T.
Suryanarayana, Shri K.
Swamy, Shri Sidrameshwar
Tewari. Shri Shankar
Tula Ram, Shri
Tulsiram, Shri V.
Uikey, Shri M. G.
Unmkrishnan, Shri K. P,
Venkatasubbaiah, Shri P
Venkatswamy, Shri G.
Vikal, Shri Ram Chandra
Yadav, Shri Chandrajit
Yadav, Shri Karan Singh
Yadav, Shri R P.
Zulfiquar Ali Khan, Shri

NOES

Balakrishnan, Shri K.
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Bosu, Shri Jyotrimoy
Chandrappan, Shri C. K.
Chatterjee, Shri Somnath
Chaudhary, Shri Ishwar
Chowhan, Shri Bharat Singh
Dandavate, Prof. Madhu
Deb, Shri Dasaratha
Deo, Shri P. K.
Dhandapani, Shri C. T.
Dutt, Shri Biren
Goswami Shrimati Bibha Ghosh
Gowder, Shri J. M.
Gupta, Shri Indrajit
Haldar, Shri Madhuryya
Halder, Shri Krishna Chandra
Hazra, Shri Manoranjan
Janardhanan, Shri C.
Jha, Shri Bhogendra
Joarder, Shri Dinesh
Joshi, Shri Jagannathrao
Krishnan Shri M. K.
Malik, Shri Mukhtiar Singh
Manjhi Shri Bhola
Manoharan, Shri K.
Modak, Shri Bijoy
Mody Shri Piloo
Mohanty, Shri Surendra
Mukerjee, Shri H. N.
Mukherjee. Shri Saroj
Nayak, Shri Baksi
Nayar, Shrimati Shakuntala
Pandeya, Dr. Laxminaraın
Patel, Shri Nanubhai N.
Pradhan, Shri Dhan Shah
Ramkanwar, Shri
Reddy, Shri B. N.
Reddy, Shri Y. Eswara
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sait, Shri Ebrahim Sulaiman
Sen, Shri Robin
Sezhiyan, Shri
Singh, Shri D. N.
Subravelu, Shri
Ulaganambi, Shri R. P.
Vajpayee, Shri Atal Bihari
Verma, Shri Phool Chand
Viswanathan, Shri G.
Yadav, Shri G P.
Yadav, Shri Shiv Shanker Prasad

MR. DEPUTY-SPEAKEK : The result* of the division is : Ayes--131; Noes—55.

The motion was adopted.

14'42 hrs.

GENERAL INSURANCE BUSINESS (NATIONALISATION) BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : With your permission, Sir, I would like to move the motion to refer the General Insurance business i(Nationolisaiion) Bill, with just two changes in the names as they appear in the motion as printed on the Order Paper of today.

In place of Shri Ram Surat Prasad appearing at No. 18, we would like to include Shri Sukhdeo Prasad Verma, and in place of Swami Ramanand Shastri whose name appears at No. 23, we would like to include the name of Shri Sat Pal Kapur.

I beg to move that the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment, for the regulation and control of such business and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :—

Shri Dharamrao Sharanappa Afzalpurkar, Shri Virendra Agarwala, Shri S. M. Banerjee, Shrimati Jyotsna Chanda, Shri Tridib Chaudhuri, Shri Darbara Singh, Shri V. Shanker Giri, Shri Jitendra Prasad, Shri Purushottam Kakodkar, Shri Bibhuti Mishra, Shri Jagannath Mishra, Shri Srikishan Modi, Shri Surendra Mohanty, Shri S. T. Pandit, Shri Chintamani Panigrahi, Shri H. M. Patel, Shri M. T Raju, Shri Sukhdeo Prasad Verma, Shri Veyalar Ravi, Shrimati Sushila Rohatgi, Dr. Saradish Roy, Shri S. C. Samanta, Shri Sat Pal Kapur, Shri Ram Shekhar Prasad Singh, Shri Satyendra Narayan Sinha, Shri R. V. Swaminathan, Shri Tula Ram, Shri V. Tulsiram, Shri G. Viswanathan, Shri Yeshwantrao Chavan, and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of the members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee.

I would like to make some observations before the House discusses this motion.

It would be recalled that on the 13th May, 1971 an ordinance was issued under which the management of the uudertakings of general insurance companies vested in Government pending nationalisation of such business. The Ordinance was subsequently replaced by an Act of Parliament. During the course of the debate on the General Insurance (Emergency Provisions) Bill, 1971, I had assured in this House that when the Bill for acquiring the ownership of the business is introduced, I shall move for referring the Bill to a Joint Committee of both the Houses. I am fulfilling that assurance today.

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*The following Members also recorded their votes for Ayes :

Sarvashri Jagdish Chandra Dixit, Priya Ranjau Das Munsi and Iswar Marandi.

[Shri Yeshwantrao Chavan]

The take-over of management of the general insurance companies was the first step in the process of nationalisation. The second and final step, which is now being taken under the present Bill, involved considerable amount of spade work.

The first major problem which had to be faced was in regard to the precise organisational shape to be given to the set-up under nationalisation. It is proposed to treat the insurance companies incorporated in India under the Companies Act on a footing slightly different from all other Indian insurers and foreign insurers. In the case of the Indian general insurance companies, other than mutuals and co-operatives, the shares will stand antomatically vested in the Central Government on an appointed day, while in the case of other insurers which include foreign insurers, co-operative societies and mutuals, their undertakings will stand transferred to the undertakings of such one or the other of the Indian insurance companies whose shares are vested in the Central Government as may be specified in this behalf. Thus immediately after the appointed day, the units which are carrying on general insurance business in India will all be companies.

The General Insurance Corporation of India which will be a public limited company will be established as the apex body and shares which are vested in the Central Government will, by law, stand transferred to the Corporation so that the Indian companies will then become subsidiaries of the Corporation. The Bill also provides for the Government framing one or more schemes under which the undertakings of any Indian insurance companies may be merged into or amalgamated with any other insurance company so that ultimately there will be only four companies functioning in India as subsidiaries of the Corporation.

The amounts to be paid for acquisition of the shares of insurance companies or their undertakings, as the case may be, are given in the Schedule to the Bill.

A good deal of thought was given to this matter. The public interest, which of course is paramount, requires that general insurance should, on nationalisation, be in a position to offer fair premium rates to policy-holders. For this purpose it is essential that it should not be deprived of the reserves which have been built up over the years out of past premia and which are necessary for the sound conduct of business. Subject to this overriding consideration, the amounts should be fair to the owners of the shares or the undertakings, as the case may be.

In arriving at the amount to be specified all factors relevant to determining a fair amount to be paid to the shareholders and insurers were taken into considesation.

I do not want to go into the details or the merits of the various provisions in the Bill as the House would have an opportunity to discuss all the issues at considerable length when the Bill is taken up for consideration. But in view of the importance of the Bill, I consider it appropriate that the provisions contained therein should receive a close scrutiny. It is for this reason that I am moving for reference of the Bill to a Joint Committee of the Houses.

Sir, I move.

MR. DEPUTY-SPEAKER : The question is :

> "That the Bill to provide for the acquisition and transfer of shares of Indian insurance campanies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment, for the regulation and control of such business and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :—
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> Shri Dharamrao Sharanappa Afzalpurkar, Shri Virendra Agarwala, Shri S.M. Banerjee

Shrimati Jyotsna Chanda, Shri Tridib Chaudhuri, Shri Darbara Singh, Shri V. Shanker Giri, Shri Jitendra Prasad, Shri Purushottam Kakodkar, Shri Bibhuti Mishra, Shri Jagannath Mishra, Shri Srikishan Modi, Shri Surendra Mohanty, Shri S. T. Pandit, Shri Chintamani Panigrahi, Shri H. M. Patel, Shri M. T. Raju, Shri Sukhdeo Prasad Verma, Shri Vayalar Ravi, Shri mati Sushila Rohatgi, Dr, Saradish Roy, Shri S. C. Samanta, Shri Satpal Kapur, Shri Ram Sheikhar Prasad Singh, Shri satyendra Narayan Sinha, Shri R. V. Swaminathnan, Shri Tula Ram, Shri V. Tulsiram, Shri G, Viswanathan, Shri Y. B. Chavan, and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Pariamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 mambers to be appointed by Rajya Sabha to the Joint Committee."

The Motion was adopted

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14 49 hrs

UNIVERSITY GRANTS COMMISSION (AMENDMENT) BILL

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURAL HASAN) : Sir, I beg to move :*

"That the Bill further to amend the University Grants Commission Act, 1956, be taken into consideration."

The University Grants Commisson Act was passed in 1956 to provide for, among other things, the determination of standards of higher education and for providing suitable grants to institutions of higher education and learning in the country. On the basis of the working of the University Grants Commission Act, it was felt that there was a scope for bringing about certain organisational changes and widening some of the provisions of the Bill. This feeling was reinforced by the recommendation made in July, 1964 by the Committee of Members of Parliament under the Chairmanship of Shri P. N. Sapru, which examined the provisions of the Constitution regarding the responsibility of the Centre in the field of higher education. After examining the matter in all its respects, the Bill to amend the University Grants Commission Act was introduced in the Rajya Sabha in 1966 and it was passed by the Rajya Sabha in August 1966 but it lapsed on the disolution of the Third Lok Sabha.

Meanwhile the education Commission (1964—66) submitted its report making certain recommendations about the working of the University Grants Commission. After taking into account the recommendations of the Education Commission, a new Bill was introduced in 1968 in the Rajya Sabha.

The main features of the Bill which was then introduced in 1968 were as follows; Firstly, the numbers of members of the Commission was increased from 9 to 11, out of whom not more than three could be appointed as wholetime members. Secondly, serving vice-chancellors and heads of educational institutions receiving grants from the U. G. C. were excluded from the membership of the Commission. Thirdly, provision was made in the Bill enabling members of the Commission to elect a vice-chairman from among themselves. Fourthly, the term of office of the chairman was fixed as five years and the term of office of the other members of the commisson was reduced from

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*Moved with the recommendation of the President.

[Prof. S. Nurul Hasan]

six years to three years with eligibility for reappointment for a further term. However, the total period for which a member could hold office was not to exceed the period of six years. Fifthly, the commission was empowered to give assistance to non-central universities for the maintenance of their special activities like centres of advanced study. Next, the commision was barred from making grants to any university established wilthout the previous approval of commission and the Central Government. Then the commission was empowered to give grants to institutions deemed to be universities in pursuance of a declaration made under section 3 of the U. G. C. Act for development or for other specified purposes. Lastly the commission was empowered to make regulations regarding the delegation by the commisson to its chairman or wholetime members or officers its power of general superintendence and direction over the business transacted by or in the commission, including the powers with regard to office expenditure and other matters relating to internal administration of the commission.

The Bill, after having been passed by both the Houses of Parliament, received the assent of the President on 3 June 1970. According to section I (ii) of the amending Act, it was to come into force on such date as Central Government may by notification in the official gazette appoint. Before the Central Government issued such a notiffication, certain serious difficulties which might have arisen in the functioning of the new Act were brought to the notice of the Central Government which considered it its duty to give serious consideration to these points.

Among the matters that were raised was that a university which had been established without the pervious approval of the Central Government of the advice of the U. G. C. was permanently debarred from receiving any grant at any time. This was a very serious matter. It is possible and I think desirable that we have some sort of discipline introduced in the country that universities should not be established lightheartedly without due reparation. But I think the House will agree that this absolute bar for allt imes to come is a very serious matter. Maybe at any given time some state Government or State legislature may decide to establish and incorporate a university. Maybe when the university is established the conditions and circumstances which are desirable for the establishment of a university do not exist, but subsequently the situation undergoes a change and those conditions are fulfilled. Therefore, that university, after having fulfilled those conditions should be entitled to recieve the grants from the U.G.C.

There was another matter. Suppose there is a well-established college which has been as a college affiliated to a well-established university in receipt of regular grants from U.G.C. Suddenly an Act is passed by a Srate legislature by which compulsory that well-established college is transferred from the jurisdiction of a well-established university into a new university which has been established without consultation and without the approval of U.G.C. and the Central Government. This well-established institution would have been debarred for ever and ever from receiving any grants from the U.G.C. This was a very serious matter.

Secondly, it was felt that while there was a great deal of justification for ensuring that Vice Chancellors do not come into the UGC as a category, it would not be proper to debar Vice-Chancellors because they happen to be Vice-Chancellors. For example, the Act passed in 1970 provided and rightly so, that university teachers should be made members of UGC. Supposing one of the teachers, after having become a member of UGC were to be invited to become the Vice-Chancellor of some university, he would be compelled to resign from the UGC straightway. This, it was felt, was not a very proper thing. Another difficulty was that the UGC Act provided for 3 whole-time members. But it was possible that the Vice-Chairman may not be one of the whole-time members, because the Vice-Chairman was supposed to be an elected person by the Commission. That would have created a controversy or conflict of jurisdiction where none need exist. In any case, many of the persons who were sounded to become members expressed their unhappiness that there was going to be two categories of members, some sitting perman-

ently in the UGC office and therefore in a better position to influence the functioning of the UGC and the others who would be part-time members coming to give their advice. Therefore, it would be really discriminatory.

15 hrs.

Then the question was whether a vacancy could be filled only for the residue of the term. That would have created a great deal of difficulty. At the same time, no provision exists for a sudden vacancy arising in the office of the Chairman. What is to happen if the office of the Chairman were to fall vacant rather suddenly ? All these difficulties were felt. Then the matter was under discussion and, finally, on the basis of a discussion which was held between the Chairman of the UGC and some eminent educationists in the Ministry of Education last October, a number of proposals were formulated, and these proposals are now before the House. It was felt that in view of the difficulties that had been created, it would be better to repeal the Act of 1970 and bring in a new Act which brings in all the salutary provisions of the 1970 Act, but as amended, in order to get over the difficulty.

So far as the membership under the new Act is concerned, it will be as follows : the Chairman appointed by the Central Government, as he was; a Vice-Chairman, also a whole-time salaried officer, appointed by the Central Government; four teachers of the universities four other persons who may be teachers, who may be persons well-versed in agriculture, in professions and so on; and two officials of the Central Government, which is an old thing, which is being continued from 1956.

Apart from the Chairman and the Vice-Chairman there is no distinction between the rest of the members. They are all part-time members and they are all on equal footing. I have already said that Vice-Chancellors are not debarred from the membership of the Commission. This change is in accordance with the recommendation of the Education Commission. We have provided that in the case of a casual vacancy for the office of Chairman of the UGC, the Vice-Chairman should act as the Chairman for the remainder of the term of the outgoing Chairman. At present, when a casual vacancy arises for the office of the Chairman, it can be filled only for the residue of the term of the outgoing chairman. Normally, you cannot invite a distinguished educationist, which I hope a Chairman will always be, to come and take over the office of the Chairman for less than a full term. It is, therefore, proposed that if a casual vacancy arises in the office of the Chairman, or he is unable to discharge his functions owing to illness or incapacity, the Vice-Chairman should act as Chairman for the remainder of the term of the outgoing Chairman, or until such time as another person is appointed as Chairman for a full term. In case there is no Vice Chairman at the time when the casual vacancy arises, the Central Government should have the power to appoint any member of the Commission to act as the Chairman for a period not exceeding six months. Aprovision to this effect has been included in this Bill.

At present vacancies among the members of the Commission are filled for the residue of the term of the outgoing members. For the reasons which I have stated, a provision has been made in the Bill that such vacancies will be filled for a full term, and not for the residue of the term.

Then, as in the case of the amending Act of 1970, the present Bill also contains provisions empowering the Commission to give assistance to non-Central univercities in the maintenance of their special activities, like, the centres of advanced study and also to give grants to institutions deemed to be universities under Section 3 of the U. G. C. Act for the maintenance of their special activities or for development or for other specified purpose.

The amending Act of 1970 contained a provision that the Commission shall not give a grant, as I explained at length, to a university at any time which was established without its approval and the approval of the Central Government. Now this has been modified in the present Bill. It is stated that the Central Government or the U G C or any other organisation financed by the Central Government will not give any grant to any university which is established after the commencement of the Act unless such university has been declared by the U G C to be fit for receiving such grant. That is to say, we are now making what I consider to

[Prof S Nurul Hasan]

be a much more reasonable legislation in which it is possible, after a university has fulfilled the basic criteria laid down by the U G C to receive grants, whether from one source of the Central Government or from another source of the Central Government

Section 14 of the original Act provided that if a university were to fail to comply with recommendations made in Sections 12 and 13 of the U G C Act then, after taking into consideration the explanation, if any, furnished by the university, the U G C could withhold from the university grants proposed to be given outside the funds of the Commission

At the same time, there was in the rule-making power, under Sections 25 and 26 of the U G C Act, certain provisions regarding inspection of university returns required to be furnished by universities to the U G C and certain other matters which were useful for ensuring the determination of standards It was felt that the provision of Section 14 should be applicable in case there was a failure on the part of a university to comply with the directives given under Sections 25 and 26 of the U G C Act

As in the amending Act of 1970 a provision has been made in the present Bill empowering the Commission to make regulations regarding the delegation of these powers to the Chairman or the Vice Chairman of officers of the Commission for the general superintendence, office expenditure and matters relating to the internal administration of the Commission

Sir these are the principle features of the Bill and I hope, the House will be pleased to accept them

MR DEPUTY SPEAKER Motion moved

> "That the Bill further to amend the University Grants Commission Act, 1956, be taken into consideration "

SHRI JAGADISH BHATTACHARYYA (Ghatal) Mr Deputy Speaker Sir, the U G C has been subjected to severe criticism so many times in this House and even outside Really speaking, its performance in the matter of providing university eduction and in the matter of betterment of the conditions and the future of universities and their constituent colleges, is far from satisfactory In the face of all this, a new Bill has been brought before the House

Generally, we expected that this new University Grants Commission (Amendment) Bill was to cater to the needs of the higher education But the form in which it is presented before the House is neither radical nor there has been any appreciable improvement on the existing set up of the Commission No noticeable change has made practically in it The only change is in the number of the members of the Commission and about the appointment of a new Vice-Chairman I do not think that, by raising the number of members of the Commission and by appointing a Vice Chanman, there will be any appreciable change in the workmg of the Commission so that it may expedite the heavy load of work that is already before it and may come before it Particularly, the Commission which has to look after higher eduation of the country should be of a democratic character as all the members of the Commission including its Chairman and Vice Chairman are to be appointed by the Central Government There is no scope for any elected member in this commission from anywhere There should be some sort of representation of college teachers of Vice Chancellors, of the members of the Governing Body of the constituent colleges, etc So that they might be elected there and not appointed by the Government as has been the case here in this Bill So we find that the democratic character of the Commission which ought to have been there is completely absent

India is a big country with a large number of universities and it is very hard for a single commission of this type to cope with the huge tasks that will come before them The result will be that there will be inordinate delay in the execution of plans and programmes that might come before it and they will not be in a position to pay proper attention to each and every problem that concerns

the universities or the teachers of the constituent colleges. That is why, a large section of college and university teachers and many eductationists wanted to have separate U.G.C for each State so that the Particular Problems of each State can be looked into very carefully and the solutions of these Problems can have a quick attention of the Commission and they can be expedited. This is not possible for a Commission like this which will be entrusted with the work of looking after something like 80 universities. The Bill has given very little power to the Commission. It will practically be a special wing of the Central Secretariat and it will have all the vices of bureaucracy. Really speaking, this will be used merely as a rubber stamp to put a seal on what the Central Secretariat wants to do. This situation will be there. So, I think, this Commission, in its present form, will not be able to cope with the heavy load of work it will be faced with. The result will be that education, and particularly the teachers of universities and constituent colleges will go on being neglected as it was being done in the past.

SHRI H. N. MUKERJEE (Calcutta North East) : I am afraid that, perhaps, again in the name of expedition of Parliamentary business, we are having to rush through a piece of legislation to which, I feel, much greater thought ought to have been given. For this kind of Bill, I am sure, a reference to the Select Committee is generally called for even though it is amendment of an original Bill, which had been very carefully thought out, but I wonder if there had been any special meeting of the Informal Consultative Committee of the Ministry of Education where on a special agenda this kind of Bill could have been discussed properly and the views of the Members elicited. I say it becau e the University Grants Commission is an institution in which high hopes had been placed for a long time. I remember when it was first discussed by this House in the first Parliament, and it was discussed in the Joint Committee which examined the provisions of the original Bill, men like the late Maha-Mahopadhyaya P. V. Kane and Dr. Zakir Husain and so many others whom I need not mention—I am mentioning only two who are dead—were members of the Joint Select Committee which produced the University Grants Commission Bill. However, the University Grants Commission has turned out, I regret to have to say, a disappointment. Its original objective had been not only the maintenance of our academic standards in so far as higher education is concerned, but also the promotion of those standards and I do not see, if I look around the country to-day, that the results have been in any light, commensurate with our hopes.

The UGC has naturally to look after the Central Universities as a priority item in their charge. But we know how the Central Universities have been faring. The Banaras, Aligarh and the Viswa Bharati are all in doldrums and are in a most peculiar mess which has got to be straightened out. Heaven knows how and only there is the University of Delhi which in spite of set-backs, does continue to carry on in a fairly satisfactory manner on the whole but, in so far as the record academic of the four Central Universities are concerned, there is nothing very much to write home about and, generally speaking the entire academic atmosphere of this country has not been positively assisted to the extent that was expected of it by the working of the University Grants Commission.

I know from time to time the reports of the University Grants Commission are discussed in this House, but it is done rather in a lackadaisical fashion and it requires a great deal of mud-digging out, and my grouse is that during the last two decades so many reports have appeared and in so far as they relate to higher education, there have been very important points. If we take the Education Commission's report, for example, it is now being sheltered in the archives of this country. Nobody knows what the Education Commission reported after three or four or five years of labour, producing a voluminuous document which the Ministry is now printing in instalments and that sort of things. But substantial things are not done. Nothing is done to follow up the recommendations of the Commission, and in so far as the Education Commission's recommendations are concerned, I should say that the problem of the use of our own Indian languages for the purpose of higher education, this problem continues to be shelved. It was only Dr. Triguna Sen when he was Minister for Education who made a special effort to do something about induction of

[Shri H. N. Mukerjee]

Indian languages as a genuine medium of instruction at the higher academic level, but we have wanted all these reports starting from Dr. Radhakrishnan's report of 1948 and Dr. Triguna Sen when he was Minister was trying to do something. He got together the Members of Parliament and produced another report, but nothing gets done because in the academic community of today, plagued as it is by a multitude of problems, or whatever other reasons may be the reason is that a single-minded devotion to the idea of the advancement of learning, the idea that knowledge is power and the boundaries of knowledge have got to be expanded if this country is to grow and if humanity is to have fulfilment, is not there.

There is nothing like a passion in regard to the advancement of education because if it was there then in our country now free for 25 years and more we would have tried to get our people into the picture in so far as higher education was also concerned, and we would have made sure about our own languages being the media of instruction, but we have not done so because we really do not care.

The knowledge which we imbibe through a language which is not our own, a language which we did not learn at our mother's knee is knowledge which never becomes part of ourselves, and that is why most of us are secondhand persons, intellectually speaking, unoriginal, absolutely secondary individuals who cannot make their contribution to the creative advance of humanity, and we find the universities going down-hill all the time. My hon. friend the Minister knows very well how wherever he looks he would see that the picture in the universities is dark and dismal. I find also at the same time that some special prize-posts are created by the establishments and those who are near it, which some times redounds to the discredit of academic advancement. I find for example that the institution of certain scholarships or professorships or whatever you call them, the Jawaharlal Nehru memorial fellowships, fellowships they are called, is one such example. I am myself on that committee and so I have the mortification of having to see these things, where scholars are chosen by a coterie from all over India and paid Rs. 3000 a month, with Rs. 10,000 a year for expenses in regard to their special educational purposes. This is discrimination, which I am sure is resented by the generality of teachers in the different academics of our country. But these prize things are put up at a particular place because of the establishment wanting to have its impire run in a particular fashion. I have wanted to find out how much real genuine academic work has been done by these people who get all the plums from the establishment. They vitiate the entire atmosphere of academic work. I could expand it for any length of time, but I need not do so. But I feel that the UGC has not satisfied the expectations made of it. I feel that Government has also never had a continuous examination of the work of the UGC so that its academic work could be checked and remedies found for whatever deficiences were there. Government comes now with a few bureaucratic proposals which might be good or might not be good, which might not be absolutely essential, and which we could even do without, that is, we could do even without whatever changes are made because it would only mean that the UGC would oscillate between Tweedledum and Tweedledum and nothing very much would happen.

I only participated in this debate to give expression to my feeling, my anxiety and my misgivings which have grown over the years that in so far as academic idealism is concerned, we have said good-bye to it, and all this talk about the UGC and eminent scholars heading it and becoming this or that is so much utter waste of breath, and that is why unless you can go back to a fundamentals, unless in this twenty-fifth year of Independence of this country, you can try to make up your mind about remoulding the entire basis of education, giving education as a property of the whole people, unless we can make up our mind obout it, unless you can take to the idea of advancement of learning as something which touches the deepest cords of our heart, unless we can bring about that kind of exhilaration which we should be having, whatever kind of education is bureaucratically supplied to us, generally in a foreign language and imbibed in an absolutely secondhand fashion is not going to do us much good. This is the

picture in the context of which the hon. Minister has come forward with certain proposals; they may be good or may be bad, but they do not interest me to a very considerable extent.

What I feel is that this Bill shou'd have been prepared after very much more careful preparation, and discussion should have preceded it, but that not having been done, I can only express my regret and my grouse over it.

SHRI Y. S. MAHAJAN (Buldana): I rise to suport the University Grants Commission (Amendment) Bill brought forward by the hon. Minister.

SHRI MANORANJAN HAZRA (Arambagh) : Support anarachy in education.

SHRI Y. S. MAHAJAN : The UGC came in to existence as a result of an executive order in 1953, and it became a statutory body in 1956. It is mainly an allocating body which is concerned with giving grants. It it a disbursing body. It has also two important function which are given in the Act, namely that it has the general duty to take all such steps as it may think fit for the promotion and for the coordination of higher education and for the determination and maintenance of standards of teaching, examination and research in the universities, and it has also the duty to be guided by instructions for the purpose of general national educational policy which may be given to the commission by the Education Ministry. It is an autonomous body and it functions in a peculiar way. It cannot be identified with the normal channels of Government departments. Because of its organisation, because of its functioning, it has created confidence, and gained the trust and respect of the universities. During the last 16 years, it has done great service to the cause of higher education, and we can see, if we can go to any campus of a university or a college, that it has expanded the facilities and has done its best to improve the standard of teaching and examination all over India.

There is some truth in what Prof. Mukerjee has said, that in spite of the great efforts of the University Grants Commission we find that in many campuses we do not get the atmosphere which should be full of curiosity, eagerness to advance knowledge, full of eagerness to carry out fundamental research. I do not think we can blame the University Grant Commission for that. If at all the blame is to be levelled, we have to blame the teachers in the different universities or those who are responsible for running the different educational institutions in the whole country. The University Grants Commission has done what it could in this field.

The present amendment gives the commission to a wider basis, gives it an elastic structure and puts on it an additional responsibility. For instance, it says that the commission will be empowered to give grants in future for maintaining special activities of the universities, such as advanced centres of research Secondly, it will be able to give maintenance grants to certain institutions which are deemed as universities. These are the additional responsibilities placed on the sholders of the University Grant Commission. Still, the note says that the normal budget will be sufficient. I hope the Minister will explain why additional expenses will not be required.

Then, the Statement of Objects and Reasons, says that in future, if a new university is eestablished, it will not receive grants unless it fulfils certain criteria laid down by the University Grants Commission. I wish the Education Minister had explained these criteria in this speech. I think we have to keep in mind here what the Gajendragadkar Committee has said namely that no university should have more then 30 or 60 colleges affiliated to it. If the number of colleges is more, then it becomes a more conglomeration and it is not possible to run the affairs of the universities smoothly, afficiently and profitably. If, bearing this in mind, the University Grants Commission lays down in future the criteria to be satisfied for establishing a university, I think it will be doing something which is essential for the cause of education. At present, in our country we have universities that have lakhs of students or more then two lakhs of students in some cases; every year, the number of students increases by three lakhs, *i. e.* by 13 or 14 per cent, whereas the number of universities is not increasing in the same proportion. I am of the view that a university, like any other organisation, has an optimum size. If

[Shri Y. S. Mahajan]

the actual size goes beyond that, its working beomes inefficient. Part of the malaise in the field of higher education is due to the fact that universities are too big. The Vice-chancellors cannot properly look after the colleges that are affiliated to their univercities. I know of Vice-Chancellors who have never visited the colleges affiliated to their universities. Therefore, as regards the proper size of the universities, the conditions under which they can be established, if these can be determined by the University Grants Commission for guidance of the State Governments, it will be doing which is urgently necessary

I would not refer in detail to the question of improvement of the quality of education, as Prof. Mukerjee has so eloquently spoken about it.

The need for expansion of higher education in India is great and in the present condition we have to make higher education available to sections of the community which have never had the opportunity of receiving it in the past. Therefore, we have to make for a large sxpansion of higher edueation. The UGC can do its work of co-ordination by having at least one city university in each State. As regards the process of expansion it can persuade more universities to undertake correspondence courses. It should also think whether we can have an open university in this country. In England they have a university on the air. Mass media have been utilised for giving higher education to people who never had the opportunity in their life to attend a college or a university on account of financial or a other difficultis. If mass media are used, in this way the UGC shall have rendered yeoman service in promoting and expanding higher education in the country. With these remarks, I support the Bill.

SHRI R.P. ULAGANAMBI (Vellore) : I am sorry to say that the hon. Minister has brought this Bill towards the very end of the session, without giving adequate time for Members to study the provisions of the Bill. The President's sanction was received on 24 May and it was circulated yesterday and today it has come up for discussion. What is the reason behind the urgency of the Bill ?

It is said in the Bill that there will be a chairman, a vice-chairman and ten other members. If the office of chairman falls vacant by reason of his death or resignation or he is unable to discharge his functions owing to illness, the vice-chairman will act as chairman. There is a provision in the Bill to this effect. In case there is no vice-chairman at the time of a casual vacancy, the Central Government will have power to appoint any member of the commission to act as chairman for a period not exceeding six months. When there is this power, what is the need for appointing a vice-chairman ? I also want to know the reason for increasing the number of members from 9 to 12 ? He said that it was recommended by a committee. What was the need for increasing the number ? What is the reason for creating a new post of vice-chairman when the Central Government has got the power to appoint a chairman when he dies or is unable to discharge his duties ? The burden to the exchequer on account of these increases will be Rs 40,000 per year.

What is the main function of the UGC ? What has it done ? It is getting money from the Government and distributing it to various universities and institutions. As far as I know, it does not devote serious attention to changing the system of education. You know, Sir, that our present educational system only produces clerks From the first class to the higher, classes, our students are being taught Mahabharata, Ramayana, Shastras and other things which are not based on reason, but which give blind belief and which are not applicable to the present age when man has landed on the moon and we are still teaching our students that Hanuman lifted the mountain to protect people from the rain ! Such an educational system must be dispensed with and a system with a scientific approach should be introduced. Then only our society will change and economic development will be expedited. We expect the University Grants Commission to do something in this regard.

Government have appointed so many committees and commissions in the past and so many valuable recommendations have been made by them. What is the use of appointing committees if their recommenda-

tions are not implemented ? The commissions take so much time to go into the problems and make recommendations but the fruits do not reach the people. Therefore, I request the minister to see that those recommendations which are useful to the teachers, students and the country in general should be implemented.

श्री शिवनाथ सिंह (झुन्झुनु) : उपाध्यक्ष महोदय, यूनवीर्सिटी ग्रान्ट्स कमीशन अमेंडमेंट बिल इंट्रोड्यूस करते समय माननीय मंत्री जी ने कुछ मुद्दे हमारे सामने रखे। 1970 में इसी तरह का एक अमेंडमेंट बिल पास हुआ था। इसी पार्लियामेंट ने पास किया था और दो साल के बाद में वह प्राविजन्स अच्छे नहीं रहे, दूसरे प्राविजन्स हमारे सामने आ गए। मै न उन प्राविजन्स की अच्छाई में जाना चाहता हूँ न इनकी बुराई में जाना चाहता हूँ। उस वक्त उन प्राविजन्स के पक्ष में दलील दी गई थी, आज इनके पक्ष में दलील दी जा रही है। यूनीवर्सिटी ग्रान्ट्स कमीशन एक संस्था है, ऐसी संस्था है जिसे हमारे हायर एजूकेशन के प्रोमोशन में मदद करनी चाहिए। आज जिस प्रकार की स्थिति हायर एजूकेशन की है वह हमसे छिपी हुई नही हैं और देश के नागरिक इस बात से संतुष्ट नही हैं कि हायर एजूकेशन जिस प्रकार की होनी चाहिए वह हो रही है। यूनीवर्सिटी ग्रान्ट्स कमीशन एक तरह से यूनीवर्सिटीज पर कंट्रोल करता है। यूनिवर्सिटीज अपनी आटोनामी पर बहुत निर्भर करती है। अपनी स्वायत्तता के लिए बहुत प्रयत्नशील हैं। स्वायतता उनमें है भी लेकिन यूनीवर्सिटी ग्रान्ट्स कमीशन को देखना चाहिए कि यूनीवर्सिटीज की कितनी स्वायत्तता रहे। आज हम देखते हैं कि यूनीवर्सिटीज कितना कंट्रोल करती हैं अपने कालेजेज को और अपने सिस्टम आफ एजूकेशन को और जिस प्रकार का सिस्टम हम देश के लिए चाहते हैं उसमें हम कितना कर पाए हैं यह देखने की चीज है। आज 25 साल के बाद भी मीडियम आफ एजूकेशन क्या हो, किस प्रकार का एजूकेशन हो, हायर एजूकेशन, फर्स्ट ईयर सेकेंड ईयर, थर्ड ईयर, पी० यू० सी० कितने हमने प्राविजन कर रखे हैं, उनमें कौन-सा सूटेबल है हमारी कंडीशंस के लिए, कौन-सा सूटेबल नही है, इस प्रकार की बातों पर कमीशन सोचे, निर्णय ले और रास्ता दिखाए तो अच्छी बात है। आज यूनीवर्सिटीज में जिस प्रकार की संस्थाएं जो काम कर रही हैं उनसे किसी को संतोष नहीं है। उनके टीचर्स में संतोष नही है, टीचर्स में आपस में असंतोष है, पार्टीबाजी है, धडे बंटे हुए हैं। कहीं वाइस-चांसलर और स्टूडेन्स का झगड़ा होता है। आए दिन यूनीवर्सिटीज बन्द होती हैं। वह किस लिए ? वह अपनी स्वायत्तता नहीं खोना चाहतीं। स्टेट का इंटरफीयरेंस नहीं चाहतीं, किसी असेम्बली या पार्लियामेंट, का इंटरफेरेंस नहीं चाहतीं और खुद अपनी व्यवस्था कर नहीं सकती। हमने जोधपुर की यूनिवर्सिटी के संबंध में देखा।

वहाँ के वाइस-चांसलर को उनके आफिस में जाकर पीटा गया, मारपीट की गई। सरकार का एक दृष्टिकोण है, यूनीवर्सिटी का दूसरा दृष्टिकोण है और पुलिस का तीसरा दृष्टिकोण है। उदाहरण के लिए मैं कहना चाहता हूँ राजस्थान की यूनीवर्सिटी को दो या तीन साल पहले प्री-मेडिकल टेस्ट जो होता है उसका एक काम दिया गया। पहले यह सोचते थे कि सरकार इसमें इंटरफीयरेंस करती है, इनके सलेक्शन में भेदभाव होता है, इसलिए यूनीवर्सिटी को यह काम दिया गया। आज मैं आपका ध्यान दिलाना चाहता हूँ, राजस्थान की असेम्बली में तीन चार रोज पहले एक बहुत बडा हंगामा हुआ इस बात पर कि यूनीवर्सिटी जिसको हम एक निष्पक्ष संस्था कह सकते हैं एग्जामिनेशन को कांडक्ट करने के लिए, उसके अन्दर भेदभाव होता है, जो स्टूडेंट फर्स्ट क्लास अपने केरियर मे रहते है वह प्री-मेडिकल टेस्ट में असफल होते हैं। इस प्रकार की हमारी यूनीवर्सिटीज की कंडीशन है। मैं आपसे निवेदन करना चाहूँगा कि हम चाहे चेयरमैन रखें, वाइस चेयरमैन रखें, मेम्बर्स को बढ़ायें या घटायें, इससे यूनीवर्सिटी ग्रान्ट्स कमीशन कोई बडा काम कर सकता हो, मैं ऐसा नहीं मानता। हमें

[श्री शिवनाथ सिंह]

यूनीवर्सिटी ग्रान्ट्स कमीशन को रुपया देने, ग्रान्ट्स देने और उसका अच्छी तरह से यूटीलाइजेशन हो रहा है या नहीं हो रहा है, सिर्फ इसी बात को देखने तक सीमित नहीं रखना चाहिये, इसके क्षेत्र को बढाना चाहिये। देश में किस प्रकार की एजूकेशन को हम लाना चाहते हैं, देश के करोड़ों बच्चे ऐसे हैं जो हायर एजूकेशन नही ले सकते, क्योंकि यूनीवर्सिटी की पढ़ाई इतनी मंहगी हो गई है कि वे आगे आ ही नही सकते, किस तरह से एजूकेशन को सस्ता किया जाय ताकि देश के करोड़ों बच्चों को हायर एजूकेशन मिल सके—ऐसी व्यवस्था करनी चाहिए। कमीशन का रूप इस तरह का बनाना चाहिये ताकि यूनीवर्सिटीज को रास्ता दिखा सके। आप आज एक प्रावधान लाते है, कल दूसरा लाते हैं, इससे फर्क नहीं पड़ता, हम तो यह चाहते हैं कि हमारा एजूकेशन सिस्टम बदले, हमारी टैकनीकल एजूकेशन अच्छी हो, एक यूनीवर्सिटी का स्टैण्डर्ड दूसरी यूनीवर्सिटी के बराबर हो। कमीशन का फंक्शन यूनीवर्सिटीज के बीच कोआरडिनेशन का होना चाहिए। आज एक यूनीवर्सिटी एक स्टूडेन्ट को 80 परसेंट मार्क्स देती है, दूसरी यूनीवर्सिटी उसी तरह स्टैण्डर्ड के छात्र को 60 परसेन्ट मार्क्स भी नहीं दे पाती, इससे जो रेक्रूटमेंट होता है, उसमें डिफिकल्टी आती है। एजूकेशन मे किस प्रकार का स्टैण्डर्ड रहे, पास-मार्क्स क्या हों, फर्स्टक्लास का क्या स्टैण्डर्ड हो, इस प्रकार का कोआर्डिनेशन तमाम यूनीवर्सिटीज के बीच होना चाहिए और उस पर कमीशन का कंट्रोल हो—इस तरह की व्यवस्था होनी चाहिए। हमें कमीशन को अधिकार देना चाहिए ताकि वह देश की एजूकेशन के स्टैण्डर्ड को बढ़ा सके, उनमें समानता ला सके। इस तरह से एक अच्छा दृष्टिकोण हमारे समाने आ सकेगा तथा देश के भूखे-नंगे और गरीब बच्चों के लिए हायर एजूकेशन का इन्तजाम हो सकेगा। ऐसे कमीशन का हम स्वागत करेंगे। हम आप के इस प्रावधान का स्वागत करते हैं, अगले दो वर्षों में आप फिर इसको बदलेंगे, कोई दूसरा प्रावधान लायेंगे तो फिर हम उसका भी स्वागत करेंगे।

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S NURUL HASAN): Sir, I am grateful to the hon. Members for the points that have been raised by them. Of course, hon. Members took this opportunity, and I am very glad that they did, to express their dissatisfaction with the present system of higher education in the country I am certainly not a person who will refuse to share their correct sentiments. Just now we had a plea that the real purpose before the country should be that the higher education should reach the children of our masses and that it should be of the highest standard. Professor Mukerjee now, as always, give a scintillating speech. But the purpose of this Bill is rather limited. It is not a general review of the functioning of the University Grants Commission. I would like to clarify two or three points and will not take much of your time.

First of all, a point was raised by Professor Mukerjee, which is a misunderstanding, and I must clarify it, and that is about Jawaharlal Nehru Fellowships These Fellowships are not granted either by the UGC or by any Indian university. These are Fellowships which are granted by the Jawaharlal Nehru Memorial Fund. Therefore, members should not get the impression that either the UGC or any of the universities is connected with these fellowships. Of course, those to whom this fellowship is granted may be government servants, university teachers or members of the public but it is not the UGC which finances this particular fellowship.

It has been suggested that there should be a separate UGC for each State In one State, an experiment was tried, that is, in Bihar. When I had the honour to visit Bihar as a member of the visiting Committee sent by the UGC, all teachers and students whom we met made one particular recommendation saying, "Would you please advise the abolition of all State UGCs ?". Before that, Uttar Pradesh had a UGC. At one

stage, even I was made a member of it. But because none of the teachers felt that it would be in the best interest of the teaching community and of the universities, this particular institution was not given.

It was suggested by my hon. friend, Shri Jagadish Bhattacharyya, that the UGC is a rubber-stamp of the secretariat. I personally do not think a rubber-stamp of the secretariat is a bad thing at least so long as I consider myself to be a person putting a rubber-stamp. I think, I have the educational values. But, factually, it is incorrect. We all respect the autonomy of the UGC. We dare not make any suggestion which is not acceptable to the UGC. I think, this attitude of the Central Government to treat the autonomy of the UGC with great respect has been in the best interest of the country. Therefore, I would like this to be clarified.

The functioning of the UGC has been explained by me once before and I would repeat that most of the work of the UGC is done through a number of *ad hoc* committees. In these *ad hoc* committees, they seek to involve teachers from different parts of the country and from different universities. Therefore, by and large, more than 200 or so teachers of various universities are involved in any given year with the functions of the UGC.

So far as the question of the defining of criteria for the establishment of universities is concerned, I hope that the UGC will, as I am told, it is applying its mind to the question of planning of higher education. We need today a great deal more of planning of higher education as well as making efforts to improve it.

I also welcome the suggestion about open universities. I may state that I have requested some of the academics to examine this question in great depth. As soon as this examination is over, I will make the report available to the UGC for their consideration.

As regards the question, if you have a Vice-Chairman, why you are providing for a contingency. I may say, sometimes, it might happen just by chance—after all, we are all human-beings—that at any given point of time, something may happen to both the Chairman and the Vice-Chairman and they are unable to function. Therefore, a law must provide for a contingency. This is only a contingeny.

So far as the question of increased number is concerned, the House had already approved of the increased number in 1970, from 9 to 12.

With these words, I request the House to give its approval to the Bill.

MR. DEPUTY SPEAKER : The question is :

"That the Bill further to amend the University Grants Commission Act, 1956, be taken into consideration."

The motion was adopted.

MR DEPUTY SPEAKER : We now take up the clause-by-clause consideration of the Bill. There are no amendments whatsoever to any of the clauses of the Bill. So, I put all the clauses together to the vote of the House.

The question is :

"That Clauses 2 to 10, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

Clauses 2 to 10, Clause 1, the Enacting Formula and the Title were added to the Bill

PROF. S. NURUL HASAN : I beg to move :

"That the Bill be passed".

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed".

The motion was adopted.

15.50 hrs.

HIRE-PURCHASE BILL

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY) : I beg to move :

> "That the Bill to define and regulate the rights and duties of parties to hire-purchase agreements and for matters connected therewith or incidental thereto, as passed by the Rajya Sabha, be taken into consideration."

Sir, the Bill before the House seeks to implement the recommendations contained in the Twentieth Report of the Law Commission of the law of hire-purchase subject to certain modifications. A hire-purchase agreement is an agreement for hire with option to the hirer to purchase the goods. It is a useful legal device to persons who desire to acquire goods on long terms and obtain possession of them. Until recent times, the need for a separate law on the subject of hire-purchase was not felt in our country as hire-purchase transactions were not resorted to until recent times on a large scale except in the field of automobiles.

As in other foreign countries such as England, with the growth of hire-purchase business, the absence of a specific law on the subject has given rise to certain abuses and evils particularly to the detriment of the hirer who is usually the weaker party to the transaction. It is with a view to avoiding such abuses and evils that the Law Commission made detailed recommendations for the enactment of a law on the subject.

15.52 hrs.

[SHRI K. N. TIWARY *in the Chair*]

The scope of the Bill before the House is quite limited. It does not purport to codify the law relating to hire-purchase. It only aims at defining and regulating the rights of the owners and hirers and of persons claiming under them. All other matters relating to hire-purchase agreements are left to be governed by the law in force relating to contracts. As explained in the Statement of Objects and Reasons appended to the Bill as introduced, the Bill seeks to give special protection to the hirer, whetever such protection is legitimately needed.

The Joint Committee took great pains for ensuring that the interests of the hirers are fully protected. I do not proposed to explain the various amendments made by the Joint Committee because they have all been dealt with in detail in the Report. But I have no hesitation in stating that the various amendments which the Committee has made are well considered. However, on further examination, it appeared that the amendment made by the Committee to clause 6 (2) (a) of the Bill to provide that the owner should have title to goods from the inception of the hire-purchase agreement had the unintended effect of making hire-purchase business the monopoly of rich businessmen. I will deal with this at the time of the clause by clause consideration of the Bill as the amendments given notice of by hon'ble Members, Shri Shankar Rao Savant, Dr. Laxminarayan Pandeya, Shri Phool Chand Verma, Shri Somnath Chatterji, Shri Radhakrishnan and Shri Laxminarayanan relate to the very same matter.

A very significant amendment which the Joint Committee made is the inclusion of a new clause in the Bill for limiting hire-purchase charges. The clause appears as clause 7 of the Bill before the House. It seeks to limit the hire-purchase charges to an amount which would bear a reasonable relation to the cash price of the goods, the number of instalments of hire and the business expenses of the owner. The clause strikes a fair balance between the interests of hirers and owners and provides for necessary flexibility for limiting hire-parchase charges in respect of different classes of goods. I find,, there are certain amendments to this clause and I will have occasion to say more about this clause at the stage of clause by clause consideration.

I commend the Bill, as passed by the Rajye Sabha, for the consideration of and passing by this House.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill to define and regulate the rights and duties of parties to hire-purchase agreements and for matters connected therewith or incidential thereto, as passed by the Rajya Sabha, be taken into consideration."

SHRI SOMNATH CHATTERJEE (Burdwan): Sir, I welcome this measure because it had been long overdue. In the modern trend of commercial development, hire-purchase represents a considrable part of the transactions which are entered into but we find that the weaker sections of the society are left completely at the mercy of the commercial institutions and financiers. We find that during recent years there have been a large number of hire-purchase transactions but many evils have crept into this system. There was no specific law apart from the law of contract and the law of the sale of goods to deal with such transactions. In working of hire-purchase law there are a lot of laws and as a result there has been a large-scale eeploitation by a section of the people who had the money to invest and who are making available this money for the purchase of getting certain goods on hire-purchase basis. It has turnd out to be an engine of oppression in the hands of unscrupulous financial institutions. That is why, I welcome this measure and I congratulate the Minister also.

So far as the form of agreement, which is generally in vogue, is concerned, it is heavily loaded in favour of the financiers. In my experience, in the courts of law, I have found that the financial institutions or the financiers get blank signed agreements from the hirers. Not in one case but in numerous cases I have found this because the hirers are completely at the mercy of the financiers. There are not only few instances. This is a problem which has been there and so far as transport contractors are concerned the problem is greater. Somebody applies for a permit for a taxi or a truck or a lorry. He has not got the money. When the taxi or truck is allotted to him, he had to rush for finance to the financiers or financial institutions. They pay to the motor company for being allotted the car. Then the usual system with these financial institutions is that they are charging almost penal rates of interest, deducting large sums of money by way of brokerage, by way of financing commission and then take a large part of the amount by way of three or four instalments apart from the deposit that was made and then keep blank promissory notes signed by the parties, blank *hundis* signed by the parties and blank agreements containing blank spaces duly signed by the hirers or the guarantors. This was the common practice and this was very pertinently commented upon, I find, in the report of the Road Transport Taxes Enquiry Committee set up under the chairmanship of Dr. Keskar which submitted its report in November, 1967. Thereafter, another mode of business that was being adopted and that was seriously abused was the power of seizure that was provided in those agreements and which was liberally exercised and for the purpose of seizure what these financiers do is that they keep so to say an army of *thugs* and army of people who would go to different places and physically seize those cars or trucks even when almost 95% of the loan has been paid or even in some cases where only one instalment remains to be paid, they seize the cars.....

MR. CHAIRMAN : Please continue tomorrow.

16 hrs.

DISCUSSION *RE.* ALLEGED PAYMENT OF RS. 60 LAKHS TO SHRI NAGARWALA BY CHIEF CASHIER OF STATE BANK OF INDIA, NEW DELHI

MR. CHAIRMAN : We shall now take up the discussion under rule 193 to be raised by Shri Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU : The issue of Nagarwala has been one of the most mysterious ones, and during the last one year, people all over the country have been left guessing. If this Government had attached any value to public opinion, which they do not, they would have come out with details and cleared the fog. Instead, not only have they observed stony silence but they struggled to keep others in darkness including this Parliament. We were all made to sit

[Shri Jyotirmoy Bosu]

tight-lipped, and one year has passed to get this discussion, thanks to those who were with us for this.

In this, most powerful people in the country are involved without doubt. Although it is nothing but the tip of an iceberg, to quote my hon. friend Shri Shyamnandan Mishra who is a good professor of English and who can use nice expressions, it has revealed unheard of malpractices in the country's premier bank and banker of the State. The judiciary has been subjected to severe criticism. The performance of the police has been exposed. The PM's Secretariat and the secret service have been dragged into the whole thing. Nothing short of an all.party parliamentary probe will satisfy the people of this country.

SHRI SHYAMNANDAN MISHRA (Begusarai) : It is a judicial matter, and there should be a commission of inquiry.

SHRI JYOTIRMOY BOSU : Government charged Nagarwala of defrauding the State Bank to the tune of Rs. 60 lakhs. Let us examine briefly the issues involved in this and draw our own conclusions.

Mr. Nagarwala, the late Mr. Nagarwala—may his soul rest in peace—a man of 50, an ex-British Indian Army captain, was the nephew of a very eminent Parsi knight, a sort of ex...I would not mention the name; it is not nice—was not a vagaband as the Government tried to paint him. I went to Bombay to know things for myself, and get it confirmed. The poor old mother of this unfortunate Nagarwala lives with her sister-in-law in dire sorrow and misery. Late Mr. Nagarwala was an all-rounder and a linguist, and he kept on saying to his mother whenever asked for years 'Do not ask me, mother, what I do'. Mind you, he was found lawfully possesssing a service pistol. That will give you an opening. He taught English in Nagoya University in Japan. Of course, we do not know if he had any secret assignment behind it. He was physically handicapped; he had a defective voice and an injured leg. He was never capable of imitating anybody's voice. He would never be able to lift a trunk carrying currency weighing about 62 k. g., not to talk of shifting it from one taxi to another. These are all cock-and-bull stories planted on us. He was a simple man. He was made to believe that he had been given complete amnesty. He himself led the polic to the place where the money was kept.

Sir, Nagarwala did not try to hide the taxi numbers which he used. He went back to his usual place of residence in almost normal condition. He told his counsel—it is published all over – that he was nothing but a carrier. He was neither a crook nor had he any intention to cheat or defraud. Unfortunately, he has been silenced for ever. A few days before he was silenced, he was supposed to have made a sensational disclosure. From the Jail, I am told he wrote a letter to the Prime Minister seeking her help. He was made to walk from the Jail gate when he landed from the civil ambulance car. Mind you he was a heart patient; how nicely treated, with what object, in mind, you can guess. He said to somebody, I may die before I can reveal the truth.

16 06 hrs.

[MR. SPEAKER *in the Chair*]

Let me come to the bank and to Malhotra. Malhotra is a seasoned Chief Cashier with over 20 years of service, familiar to the Prime Minister and Mr. Haksar and his people. He adopted the unusual method. The Government said on 26th May, 1971—Mr. Chavan said—"I certainly agree that it is very fantastic and unbelievable that an officer of long standing with more than 20 years of service should act in such a stupid manner; if I may say so, something more than that." I leave it at that.

They tried to give us the impression that this is the first time when he did this, and on the 24th May, at about mid-day, it was reported, and we were told, that a phone call frist from the Prime Minister's Secretary and then from the Prime Minister, was addressed to Mr. Malhotra, not to the agent of the State Bank of India; the phone call came, asking him to hand over Rs. 60 lakhs. It is a paltry sum; he took out the paltry sum of Rs. 60 lakhs from the premier State Bank

without a single piece of chit. For the disbursement of the bank's money, if the money really belongs to the State Bank's books of account, could it be disbursed on telephonic instructions ? The banks have secret codes for telegraphic transfers Even if the Prime Minister herself went to the bank for money, she has to sign a cheque or a voucher. No voucher was signed at all in this case. This was one withdrawal during the day, and the vault is controlled by a double-key system. The agent was nowhere near the scene. Mr. Malhotra, violating the bank rules, refused to take the bank's cash wagon, security guard and the driver. The Transport Officer insisted, but he managed to take out the money, and drove the car himself. It was staff car No. DLK 760.

The money was specially earmarked. We have evidence on record. Whose money was this ? The statement of the Deputy Head Cashier, in the FIR No. 812, lodged by Mr. Rahul Sing, Deputy Head Cashier, is there. He said in his statement before the police, Sir, I am working as Deputy Head Cashier in the State Bank of India, Parliament Street. Today, at about 12·30 p. m Mr. Prakash Batra, Deputy Chief Cashier came with the cash withdrwal book and said that a sum of Rs. 60 lakhs is to be paid to Shri B. P. Malhotra which is lying in this box." Presumably he pointed his finger towards the container. These are very serious matters.

Sir, they have not produced any real evidence from the bank record that Rs. 60 lakhs belonged to the bank. Neither they have arranged for identification of the seized currency. If the legal heirs of Mr. Nagarwala claim the money, it will be a problem for the Government.

Mr. Chavan tried to tell a story in reply to my different letters. It is a story of the currency chest, of the Reserve Bank of India. We have this book, *Functioning and Working of the Reserve Bank of India.* I regret to say that it is nothing but a red herring and afterthought. Here is a book which does not fit in. I leave it to another hon. Member of this bouse to explain it technically, because he is more acquainted with these things.

Let me quote from the proceedings of this House. Shri Shyamnandan Mishra asked, "Could you give us the normal daily holdings of the currency chest during the last one year ? That, we are entitled to know.' Mr. Chavan replied, "Why do you want to know it ?" Very strange. "Normally, really speaking, Rs. 15 to 20 lakhs. Then, Shri Chavan added—this is the next paragraph—"On an ordinary day." "On an ordinary day the withdrawal is about Rs. 15-20 lakhs." Then he goes on saying something else. Members should draw their conclusions. They have been talking about an agreement between the State Bank of India and the Reserve Bank of India, governing the functioning of the currency chest retained by the State Bank of India. We want it to be placed on the Table of the House so that we can examine it ourselves. Government have to prove that it was not unaccounted money belonging to very powerful people or party. That is why Mr. Malhotra was left untouched; he was not made a co-accused; he was absolved and reinstated; no doubt he will be rewarded or silenced.....(An Hon. Member : silenced ? What do you mean?)..As hapepened to Nagarwala. A departmenal enquiry was instituted by the State Bank of India in this matter. What are its findings; it should be laid before the House. I should say that Malhotra is not to be blamed, as we do not blame Nagarwala. Malhotra did his job which he has been doing very often under the authority of the supreme power in this country.

This is the briefest trial in history. it was done at supersonic speed. In five minutes it was over. The judgment is silent on two acts of the arrested persons. Nagarwala was never asked to perform the court; could he imitate somebody else's voice ? We are surprised why the Prime Minister was not produced before the court when the allegation was that Nagarwala imitated her voice. It was up to her to go before the court and say : I did not speak to Malhotra to give this money. She was not produced before the court. That makes us think there is a skeleton in the cupboard.

The judgment of the High Court says : it is the duty of the magistrate to find out who the offenders really are; if he finds that in addition to persons sent up by the police as accused, some other persons are involved, it is the duty of the magistrate to proceed against those persons. It goes on to say: the learned council submits that Malhotra should

[Shri Jyotirmoy Bosu]

not have taken out the money in question from the bank vaults without the necessary cheque or authority; it is thus sought to be concluded that Malhotra dishonestly misappropriated public money and is liable to be proceeded against under section 409 of the IPC; it is not denied by the State that Malhotra has been arrested a few days after the arrest of the petitioner on the basis of the same first information report; the case under section 409 IPC is being investigated. It is however not denied that in Nagarwala's case the police was able to conclude investigation and put in a challan within three days of the commission of the offence; the investigations against Malhotra are still pending... How much more should I read ? It goes on :...Malhotra is a star witness of the prosecution in this case against Nagarwala; it is his solitary statement of having received a telephone call which is the basis of his removing Rs. 60 lakhs from the bank and handing it over to the petitioner; his statement *prima facie* shows that he has been cheated and for that reason a charge under section 419 and 420 IPC has been framed against the petitioner...These are the remarks of the hon. Judge which he had been constrained to make and which reveal that there is a skeleton in the cupboard.

He goes further : I am however constrained to remark that had the police shown as much diligence in completing the investigation of the case registered against Malhotra as was done in the case of the petitioner, they would have provided no reasonable grounds of doubt in the mind of the petitioner about their bonafide. I can only hope that they will be able to complete.....

Now, this who shows where the thing was dragged to.

There is another very interesting thing. The memo –a ver important piece of document—was removed from the trial file. The original case record which was in the court of Shri K. S. Sindhu who had earlier granted bail to Shri Nagarwala was procured by the Prosecutor, Shri Damodar Das, to make the same available for the Chief Prosecutor and the investigating officer, Shri Kashyap. The file was procured on Saturday and on Monday morning, when the file was returned by the office of the prosecutor, record-holder Mr. Ahmed found one memo missing from the original records. That is how the whole thing has been handled.

They found one particular judge very inconvenient and this case was transferred to somebody who was fortunate—he must have been a good man to be promoted a High Court judge soon after. The police performance also has revealed many things. The Superintendent of Police was contacted by the State Bank authorities at 2·30 PM personally but the FIR was not recorded earlier than 4·30 PM. A gap of 2 hours—Mr. Speaker, you are a lawyer and you know—is a very serious lapse. In the meantime, the Delhi press did a great service. They flashed the news that this has happened and the matter could not be suppressed at that stage.

Nagarwala confessed that he had accomplices. The police is unwilling to say how many people were in the taxi to which the trunks were shifted. Although two other persons were arrested, we know nothing about it. It is a queer coincidence that the enquiring officer, a young scheduled caste officer, Shri Kashyap, was promoted overnight. He fell a victim to an accident very near that date. It is unfortunate. I am sure Mr. Chavan, who has held the Home Portfolio, would satisfy the House as to why the day he died all the papers were removed instantly from his house and also his body was not allowed to be dissected and no *post mortem* was performed. If you go deep into the matter, you will see that some imposter had put in an application to the police officer at Mathura-Brindaban police station requesting them not to do *post mortem*. On enquiry, I found the man who applied is an imposter whose address and whereabouts are not known. He is not related or connected with this man.

This is the story of the Home Minister running...

AN HON. MEMBER : It is really a story.

SHRI JYOTIRMOY BOSU : This is the story of a person running with the hare and hunting with the hound. Unaccounted money,

collections for political funds were dumped into the State Bank vault, because the amount was massive. I was told till May, 1971, it touched almost Rs. 30 crores. Nagarwala, we have not the slightest doubt, was a high-powered secret service man and it was his job to be a carrier. I do not know if he was in the Research and Analysis Wing or in some other branch. We do not know about it. An unrevealed man who was supposed to have waited at a particular place at a particular time to receive the money from Mr. Nagarwala to help in performing his duty was not there to receive the money. That put Shri Nagarwala in a fix. He is supposed to have gone to Palam. But he did not meet that man. I have got a letter with me here. I do not wish to mention names, because I have promised the Chair that I shall not mention names...*(Interruptions)* I can lay it on the Table, if you like; or, I can pass it on to you. It is not something untouchable.

This money was supposed to have been taken out of this country. Sir, you know there are three places particularly in the world where you can change any currency for any other currency; one is Beirut, another is Tangiers and the third is Hongkong This money was taken out either for Beirut or Tangiers, because a young industrialist is hard up for foreign exchange. This money was supposed to have been taken out for a project coming out in Haryana. I do not want to mention names.

The Government has to prove that everything was above board and the House has to be satisfied. Government have to disprove what I have said. I have written a letter to Shri Chavan yesterday, asking a few questions. I hope he would be kind enough to cover them in his reply. If he cannot cover them in his reply today, let him get his reply to those questions circulated to Members before the House adjourns.

श्री एच० के० एल० भगत (पूर्व दिल्ली) : अध्यक्ष महोदय, अभी ज्योतिर्मय बसु साहब ने जो एक कहानी कही, उसको सुनने के बाद मुझे इंग्लैंड के एक क्लाएंट के बारे में कुछ ध्यान आ गया। एक मुलजिम जो चोरी के केस में गिरफ्तार था और कन्फैशन कर चुका था, उसने ज्योतिर्मय बसु साहब जैसे किसी आदमी को अपना वकील कर लिया। उन्होंने बहुत बहस की और बहुत सारी बातें कहीं। मुलजिम ने उनकी बातें सुनने के बाद कहा कि इनकी बहस सुनने के बाद मुझे यकीन आ गया कि मैं बेगुनाह हूँ, वैसे मैं गुनहगार हूँ। ज्योतिर्मय बसु साहब की बातों को सुनने के बाद शायद नागरवाला को भी यकीन नहीं आएगा कि वह बेगुनाह है। मुझे ताज्जुब है कि पार्लियामेंट के एक जिम्मेदार मेम्बर यहाँ खड़े हो कर कह रहे हैं कि नागरवाला बेगुनाह है। किस बिना पर कि उन्होंने उसकी माँ से बात की है, वह कहती हैं कि वह बचपन से बड़ा अच्छा था, उसका चाल-चलन अच्छा था, उसको सर्विस रिवाल्वर मिला हुआ था। जैसे सर्विस रिवाल्वर वाले आफेंस नहीं करते। मुझे बहुत ताज्जुब हुआ कि एक पार्लिबामेंट का जिम्मेदार मेम्बर इस हाउस के अन्दर खड़े हो कर इतनी गलत बातें कर सकता है, इतना झूठ बोल सकता है, और इतने गलत इल्जाम लगा सकता है। ····(व्यवधान)····

SHRI S. M. BANERJEE (Kanpur) : Sir, it is unparliamentary...*(Interruptions)*

SHRI H. K. L. BHAGAT : Sir, if it is unparliamentary, I withdraw it...*(Interruptions)*

SHRI PILOO MODY (Godhra) : Is he withdrawing it ?

MR. SPEAKER : The moment the objection was raised, he has withdrawn it.

SHRI H. K. L. BHAGAT : I am withdrawing it. *(Interruptions)*

SHRI JYOTIRMOY BOSU : That is better. Behave yourself in future.

श्री एच० के० एल० भगत : मैं बहुत शान्ति से बोलूंगा। हमारे बसु साहब ने बहुत सी बातें ऐसी कह दी हैं कि जिन पर शान्त रहना काफी मुश्किल हो जाता है·····

अध्यक्ष महोदय : आप उनकी बातों पर तवज्जह न दीजिये, अपनी बात कहिये।

श्री एच० के० एल० भगत : उन्होंने जितनी बातें कही हैं, बिलकुल बेबुनियाद बातें हैं, गैर-जिम्मेदारी की बातें है और जिनके लिये उनके पास कोई एविडेन्स नही है, कोई शहादत नही है ।

उन्होंने कहा कि इस मामले में पुलिस का बड़ा गलत रवैया रहा, बड़ा बंगलिंग हुआ, जूडीशियरी का रोल बड़ा खराब रहा । किसी जज को इस काम के लिये तलाश किया गया—सारी ऐसी बातें है जिनकी कोई बुनियाद नहीं । साढ़े बारह बजे केस होता है, ढाई बजे पुलिस के पास इन्फर्मेशन जाती है, साढ़े दस बजे रात को सारा रुपया, 5100 रुपये को छोड़ कर, रिक्वर हो जाता है । इतना बड़ा केस, इतना बड़ा फ्राड और 12 घन्टे से पहले ही ट्रेस हो जाता है, पुलिस मुलजिम को पकड़ लेती है, रुपया बरामद कर लेती है, उसके बावजूद भी इल्जाम पुलिस पर लगाया जाता है । अगर पुलिस मामले को जल्दी हल करले तो हुकूमत का कुसूर, अगर उसमे देर हो जाय, तो भी हुकूमत का कुसूर, ज्योतिर्मय बसु साहब को तो हर तरह से हुकूमत का ही कुसूर नजर आता है।

एक बात उन्होने कही कि कोर्ट में ब्रीफैस्ट ट्रायल हुआ, जब मुलजिम ने कन्फैशन किया तो कन्फैशन के बाद ट्रायल हुआ करता है..... (व्यवधान).....उसके बाद केस सैशन्ज में गया । सैशन जज ने इस बिना पर उसके कन्फैशन को तोड़ा कि सैक्शन 251 में उसको डाक्यूमेंट्स उसी दिन दी गई थी और उस पर चार्जशीट लगाने से पहले एक दिन का टाइम देना चाहिये था । सैशन जज ने अपने जजमेंट में कहा है कि उसका कन्फैशन वालंट्री था या नहीं था, इस पर मै कुछ नहीं कह सकता । इस ईशू पर किसी किस्म की कोई वर्डिक्ट या फाइण्डिंग्ज नही दी गई ।

तीसरी बात यह कही गई कि इस मामले को इन्वेस्टीगेट किया जाय कि सुप्रीन्टेन्डेन्ट आफ पुलिस का एक्सीडेन्ट कैसे हो गया । एक्सीडेन्ट मथुरा के पास हुआ, टाँगे से हुआ, उसकी बीवी कार में मौजूद थी । उसके घरवालों ने, उसकी बीवी ने, उसके रिश्तेदारों ने, किसी ने यह नहीं कहा कि वह एक्सीडेन्ट नही था, लेकिन ज्योतिर्मय बसु साहब होशियारी और चालाकी से कहते हैं कि एक्सीडेन्ट नही था.....

श्री ज्योतिर्मय बसु : यह गलत बात है । I never said this, I cannot call it a lie. That is unparliamentary. But I say, he is telling the untruth.

श्री एच० के० एल० भगत : नागरवाला के इस केस मे 60 लाख रुपया इन्वाल्ब्ड था, यह 60 लाख रुपया रिक्वर भी हो गया, उनको यह बात इम्प्रोबेबल लगती है । स्पीकर साहब, जितने जुर्म होते है, जो लोग जुर्म करते हैं, कौन चाहता है कि मै कत्ल करूं, लेकिन उसके बावजूद भी कत्ल कर देते हैं । जितने जुर्म होते है, वे एबनार्मल बातें होती है, एबनार्मल स्टेट आफ माइण्ड मे जुर्म कर देते है, बड़े सीधे लोग भी चक्कर में आ जाते है । आप देखिये—उधर कितने सीधे नेता लोग बैठे हुए है, लेकिन ये आज ज्योतिर्मय बसु के चक्कर मे आये हुए है । यह कैसी स्ट्रेन्ज बात है कि हीरेन मुखर्जी, इन्द्रजीत गुप्त, मिश्र जी, मनोहरन जी जैसे लोग भी उनके चक्कर मे आ गये हैं, इससे ज्यादा कोइन्सीडेंस क्या हो सकता है ।

मै आप से अर्ज करना चाहता हूँ कि आप देखें—नागरवाला साहब कई महीने जिन्दा रहे और अस्पताल मे भी रहे, जेल मे भी रहे । मैने आज मदरलैंड मे देखा—एक लैटर छपा है जो नागरवाला ने अपने दोस्त को लिखा था, इसके मायने हैं कि उस दौरान वह अपने दोस्तों को खत भी लिखते रहे, कुछ अदालत में बयान भी दिया । उसके मरने से पहले महीनों तक केस कोर्ट में रहा । तो नागरवाला ने इस केस के बारे में कोई काउन्टर बर्जन नही दिया । मैं कहना चाहता हूँ कि अगर श्री ज्योतिर्मय बसु को इतना बड़ा शक था तो वे उससे मिल सकते थे, उससे इन्टरव्यू माँग सकते थे और वकील से मिल सकते थे, उससे पूछ सकते थे । मेरी ऐसी

इत्तला है कि कुछ अपोजीशन के लीडर्स ने नागरवाला को एप्रोच भी किया जबकि वह हास्पिटल में था लेकिन इनके पल्ले कुछ भी नहीं पड़ा। अगर इन्होंने यह नही किया तो गलती की। इनको उसके पास जाना चाहिए था और पूछना चाहिए था। अगर कोई बात थी तो उसको सामने लाना चाहिए था। मलहोत्रा ने 60 लाख रुपए निकाल दिए तो कैसे उसके ट्रैप में आ गया, जो आवाज थी प्राइम मिनिस्टर की कैसे उसको इमिटेट कर लिया, कैसे उसके ऊपर असर हो गया और उसने समझा कि प्राइम मिनिस्टर का टेलीफोन है। यह सवाल ये कर रहे है तो आफेन्स के ट्रैप मे जो लोग आते है वह एक एबनार्मल सिचुएशन मे आते हैं। मै यहाँ पर मलहोत्रा की वकालत नही कर रहा हूँ लेकिन यहाँ पर ज्योतिर्मय बसुजी ने नागरवाला की और मलहोत्रा दोनो की वकालत की है। तो मेरा कहना है कि एक केस हुआ जोकि फौरन पकड़ा गया, केस कोर्ट मे गया और उसके बाद कानून के मुताबिक उसका ट्रायल हुआ लेकिन वह मर गया।

श्री ज्योतिर्मय बसु ने कहा कि पार्लमेन्ट की एक कमेटी बनाई जाये जोकि इसको इन्वेस्टिगेट करे। पार्लमेन्ट्री कमेटी अगर बनाई जायेगी तो उसमे कौन से लोग होगे ? कांग्रेस के लोग ही ज्यादा होगे और फिर कल को आप लोग कहेंगे कि यह तो कांग्रेस की कमेटी है, यह इन्साफ नही करती। इसलिए अगर आपके पास मैटरियल है, जो इस केस को बढाता है तो आप हिम्मत क्यो नही करते है, अदालत मे जाकर कम्प्लेन्ट क्यो नही फाइल करते हैं ? अब तक मैंने जितनी बात श्री ज्योतिर्मय बसु की सुनी उसमें उन्होंने एविडेन्स का कोई लिंक नहीं दिया। हाँ, एक बात जरूर उससे साबित हुई कि नागरवाला से इनका लिंक-अप जरूर है।

(व्यवधान) ..तो मेरा कहना है कि बहुत दफा यह केस यहाँ पर आया, इस पर बहुत बातचीत हुई। अब इसमे कानून का तरीका क्या है ? कानून का तरीका यही है कि अगर आपके पास कुछ एविडेन्स है तो अदालत में जाइये लेकिन वहाँ जाने के लिए आप तैयार नही होते।

मुझे अफसोस है कि यहाँ पर खड़े होकर उन्होंने एक साँस में दो बातें कही। एक तरफ तो उन्होंने यह कहा कि अनएकाउन्टेड पैसा जो एलेक्शन के लिए चाहिए वही एलेक्सन के लिए पैसा जमा हो रहा था, यह हो रहा था, वह हो रहा था। दूसरी तरफ उन्होंने कहा पैसा किसी इडस्ट्रियलिस्ट के लिए चाहिए था जिसको फारेन एक्सचेंज की कमी थी। अगर मैं इनकी बात को गैर जिम्मेदाराना कहूँ, वाकयात के खिलाफ कहूँ, आँखो मे धूल झोंकने की कोशिश कह दूं, अगर कानून के विपरीत कह दूं, इनको शक नही है बल्कि यह तो शक पैदा करना चाहते है और लोगों को धोखा देना चाहते हैं, धूल डालना चाहते है, जनता के सामने भी यह इसको ले गए · **(व्यवधान)**.....

संसदीय कार्य तथा नौवहन और परिवहन मन्त्री (श्री राज बहादुर) : यह इन्टरप्शन्स क्यों हो रहे है ?

श्री एच० के० एल० भगत : यह भी कहा गया कि इन्वेस्टिगेशन बड़ा अनफेयर हुआ है। इसमें बड़े आदमियो के नाम इन्वाल्व्ड है। पुलिस इन्वेस्टिगेशन कर रही थी उसको मैनिपुलेट किया गया। अगर मैनिपुलेट किया गया तो फिर प्राइम मिनिस्टर का नाम कैसे आ गया। यह कितनी रिडिकुलस बात है। इस देश के प्राइम मिनिस्टर का नाम आया यही साबित करता है कि इन्वेस्टिगेशन कितना फेयर था। यह इसी मुल्क मे हो सकता है, दूसरी जगह नही।..... **(व्यवधान)**.....

श्री पीलू मोदी : इसी मुल्क में प्राइम मिनिस्टर की वकालत पार्लमेन्ट में होती है। ...**(व्यवधान)**.....

श्री शंकर दयाल सिंह (चतरा) : अगर ये लोग इसी तरह की हरकत करेंगे तो हम भी इनकी बात नहीं सुनेंगे।

अध्यक्ष महोदय : जितनी डिबेट कर रहे हैं, आपका खयाल है कि इंटरप्शन करने से

[अध्यक्ष महोदय]

सब कुछ ठीक हो सकता है ? जिस प्रकार इन्होंने माननीय ज्योतिर्मय बसु को सुना वैसे ही आप भी माननीय सदस्य को सुनिये ।

श्री एच० के० एल० भगत : स्पीकर साहब, कब्रों को खोदना, जैसे आज माननीय ज्योतिर्मय बसु साहब ने खोदने की कोशिश की है, मरने के बाद लोगों को औनर करना या डिसऔनर करना, झूठा कन्फैशन लेना, कैरेक्टर असेसिनेशन करना, कातिलों को तलाश करना फिर उनको कत्ल करना, ये रबायात श्री ज्योतिर्मय बसु साहब की पार्टी की है, हमारी नही हैं ।

इस देश के अन्दर गौडसे ने महात्मा गाँधी जी को मारा । उसको भी फेयरेस्ट ट्रायल मिला, और मै माननीय ज्योतिर्मय बसु साहब से कहना चाहता हूँ कि जो जुर्म वह कर रहे है तो उनको भी फैयरेस्ट ट्रायल सिलेगा । यह हमारे कन्ट्री की ट्रैडीशन है कि यहाँ ट्रायल कानून के मुताबिक होता है । ताज्जुब होता है पोलिटिकल डस्ट आप उठाने की कोशिश करते है, कैरेक्टर असेसिनेशन आप करते है और आप समझते हैं कि किसी न किसी तरह से प्राइम मिनिस्टर के नामको ले आओ तो आप कोई बहुत बडे हो जायेंगे । ऐसी बात नही है । इन तरीको से कुछ नहीं बनता । लोग आपकी असलियत को समझने है, बगाल मे आप की असलियत और हैसियत जनता ने अच्छी तरह समझ ली है । मरे हुए नागरवाला के नाम पर जिन्दा होने की आप कोशिश कर रहे है, ज्योतिर्मय बसु साहब ।

आज उन्होंने कहा इन्डायरेक्टली कि "May his soul rest in peace." मैं कहना चाहता हूँ कि जितनी इनकी दलीलें फेक्ड है उतनी ही प्रेयर भी फेक्ड थी । आज बसु साहब को सुनने के बाद मुझे तो यही लगा कि कल्प्रिट माननीय ज्योतिर्मय बसु साहब है इस हाउस के सामने गलत बयानी करने के, इस हाउस के सामने बेबुनियाद बातें करने के, इस हाउस के सामने आकर फैब्रीकेशन करने के, इस हाउस के सामने गैर जिम्मेदारी से आकर इल्जाम लगाने के मुलजिम यह है । या मुल्जिम नागरवाला थे या मुलजिम माननीय ज्योतिर्मय बसु है ।

इन शब्दों के साथ मैं अपना बयान खत्म करता हूँ ।

SHRI H N MUKERJEE (Calcutta-North-East) : It has taken this House a year and more to have this discussion whose aim is only to unravel the mystery which when it took place was so peculiar and so complicated that it shook the country. The Government somehow wanted to take shelter behind specious please that I do hope that in spite of the somewhat ejaculatory speech by my friend, Mr. Bhagat...(*Interruptions*) the Government would not have to pull the veil over the incident which happened

It is not because we want to persue a particular policy of vendetta. But a mystery is there all the time Not merely a mystery, perhaps, you in your school days might have read omnibus volumes which had written on them the title Detection, Mystery and Horror. On this occasion, mystery is there. Horror is also there, because after the mysterious circumstances, one man after another died. Nagarwala died; I am not casting any suspicion on anybody, but the fact of the matter is that he died; the police officer died perhaps the magistrate died or the docter died, and a number of things happened But the detection never took place The mystery was there, horror has happened, but the detection has not taken place as far as we are concerned, and we do not know how it happened and I think that is what worries most of us.

I am not concerned about whatever might be the political implications of Shri Jyotirmoy Bosu's attack, which may be right or may be wrong; that is a different matter I am not interested in its political implications, but as a citizen of this country, I would very much like to know how exactly it was that Rs. 60 lakhs or more—I have forgotten the figure...

SHRI JYOTIRMOY BOSU : Rs. 60 lakhs.

SHRI H. N. MUKERJEE : ...could be spirited away from the vaults of the State Bank of India with ventriloquism or otherwise. I do not know; Mr. X could get in touch with a person called Malhotra, who I am told is high up in the staff of State Bank of India, and in a trice, in a few seconds, in a few minutes at the very outside, Mr. Malhotra got hold of Rs. 60 lakhs in cash carted it downstairs and got into a car and had it spirited away. All this happened, when with your nomination, we try to get a few pounds by way of foreign exchange when we are going abroad on an official assignment and when we go, it takes us some little time to get £20 out of the State Bank of India after putting the money down in rupees...

AN HON. MEMBER : Six hours.

SHRI H. N. MUKERJEE : But here he could have Rs. 60 lakhs by an operation which no body up to this point of this time has sought to explain; on the contrary, the Finance Minister started the business of trying to hide it and put a veil over it. I am not saying that he is guilty but why should these people have a guilty conscience every time an allegation is made ? I appeal to the conscience of all these Members. Let them not take a partisan view of the matter. Let them put their hand on their hearts and say 'What about this incident, what about Rs. 60 lakhs in the State Bank of India which is national property, being spirited away, and no inquiry taking place, and no explanation yet forthcoming about how it took place and how it could not be prevented on that occasion because of certain circumstances ? But in future we could do something about it.' But nothing of that sort has been done so far, as far as we know.

Nagarwala and Malhotra were in jug in jail for some time, and we read in the papers thar Mr. Malhotra shed copious tears, I do not know what he told the court; Shri Jyotirmoy Bosu has got hold of many documents; I do not care; when I see a drain, I get away from it; I do not go to inspect it I am speaking not as a drain-inspector but as something else. We read about Malhotra sheding lots of tears and that sort of things. We read about Nagarwala having made a statement and promised a full confession. What that confession was, we never know; who was implicated or was not implicated we never know. Meanwhile, the court unconditionally releases Malhotra on the basis of Nagarwala's statement or what else, we do not know. But Malhotra is a free man, possibly waiting in the queue for Padma Bhushan or something. In the meantime, before the N garwala confession which was to come out, according to paper reports, people died and you cannot balme anybody, if there is suspicion of mystery behind the manner of those deaths.

I can understand Shri H. K. L. Bhagat saying that this was the explanation of the Police officer's death. That may very well be the case. I am not congenitally suspicious to that extent. But there are certain circumstances which do give rise to a certain suspicion and it is for Government to clear the air and to remove that suspicion. But Government have not done it, and that is why I was very annoyed when earlier during this session there was an answer to a question where Government merely said Nagarwala is dead, Malhotra has been released by court order and there is no case, and we know nothing else about it. A question asked in this House in regard to what had happened in regard to the Nagarwala case elicits the answer that Nagarwala is dead, blissfully dead, Malhotra is blissfully free, and Government is very blissfully free to do what it likes. We asked for it. Last year we asked for it. For a whole year we have waited. I would say, if this Government had any guts, I do not see why with their massive majority, they have not come out with a reply. I do not see why, with that massive majority, they do not have the guts. They could have come up and said that this is the position; this is the reason. Do not wait for the accusation to come. If this is the way you can function. God bless you; go ahead; and you goat over your wonderful image. (*Interruption*) There is no doubt about it. The Government says, "everything is over; there is no case. Let us forget it." I would be personally happy if we can forget this unsavory thing, but can we forget, as Members of Parliament with some responsibility for the working of the State Bank of India ? If the Finance Minister foregoes his responsibility, it is his business. But Parliament is responsible for the security of the people's property in the State Bank of India, our premier banking institution Can we forget it ? And should we be permitted by our people to forget it ? That is why, on this

[Shri H N. Mukerjee]

sort of thing having taken place, we must get an answer.

That is why I wish to know how the State Bank operates when cases of this sort do happen. How could Rs. 60 lakhs be carted out of the vault in record time ? How could it happen ? You must explain. If you cannot explain, there must be, as he said, more skeletons in the cupboard. Surely, even if a naya paisa is taken out of the State Bank or anywhere else, some papers have to be signed; some requisitions have to be made. Who made the requisition ? Who signed the papers ? Who brought out the money ? Normally, I would not have wanted to know. Normally, I know that a country, a Government, a State, has to operate; sometimes they have all sorts of business to do. There is such a thing a secret service and all that sort of thing. Normally, I would not have asked a question about how your secret service business operates. But the matter is not secret. You can get away with murder, but if the murder is out, then the murder will have to be looked into and investigated. You cannot now say it is a secret service operation. If it has been a secret service operation, the whole thing would have been transacted differently. But you did not allow it to be a secret service operation. If that is your defence, I do not know. Therefore, I would say, do not take shelter behind the plea that this was a secret service operation, and therefore, "for God's sake, for patriotism's sake, you keep quiet ' You cannot say that. Because, in the meantime, these things have happened, and the people have come to know that, because you proudly say, you proudly proclaim all the time that "we are a democratic society, an open society" and whatever else. (*Interruption*) If it is an open society, and a democratic society, for God's sake, come forward and do something about it.

I should also like to know, since the matter has come up, to whom does this money belong. If the matter had not come up, I would not have bothered, and it is not worth anybody's grain To whom does the money belong, and how does the money operate ? Mr. Chavan himself must know. At least Mr. Malhotra must know. Mr. Chavan might not know everything. He is not omniscient. But Mr. Malhotra is a person operating somewhere in this planet. Can't he be requisitioned and called ? We must know where he is, and why should not the bank tell Parliament what has happened? Was the bank cheated or the bank's property was wrongly removed from one part of the city to another ? Whatever the explanation, we must understand what it was.

If it was a secret service money and that sort of thing, apart from the rightness or wrongness operating it, they should be having a special apparatus which should rule out this kind of incident which has come to light, a thing associated with the Nagarwala case. Now, it cannot be said to be secret; it is no longer a secret. Even if a murder is committed one can get away with the murder, but when the murder is discovered, one has to give an explanation for that sort of thing. Therefore, the Government has very much to answer for it. It should decide to tell Parliament that there would be a genuine investigation, whatever you call it, judicial enquiry or whatever be the category you wish. I do not mind whichever mechanism it is. The hon Member there suggested something. But what I say is, this mystery has got to be unravelled; this peculiar complication. It has caused such a tremendous damage to the reputation of the Government, if you care for your reputation. If you think you can safeguard your reputation merely because you have power, you have money, if that is your idea, that is a different matter, you can disregard Parliament. But if you do not disregard Parliament, if you do not disregard public opinion, you must explain A mystery has taken place; horror has been there; detection should be there. If detection does not take place, that would be a sign of the guilty conscience which this Government, howsoever its majority, cannot afford.

SHRI PILOO MODY : It is only in an open society that you can say these things.

SHRI VASANT SATHE (Akola) : If my hon. friend Shri Mody would keep his open mouth shut for some time, I shall be able to make my point because it distracts the attention of the House.

SHRI PILOO MODY : Is it an insurance policy or what ?

SHRI VASANT SATHE : I believe this matter has been discussed in this House quite a number of times and most of the points that have been raised by my friend Shri Jyotirmoy Bosu had already been answered. I have been trying to understand what the so-called mystery is about, of which Shri Bosu and Shri Mukerjee spoke. Let us consider some well-known facts about this case. Then we shall know whether there was any need to be at a dead horse continuously and create cloud and mystery in this House and in the country. Some facts are well-known. I shall first deal with the part played by Mr. Nagarwala or alleged to have been played by Nagarwala and also the alleged part of Shri Kashyap...(*An Hon. Member* : It is murder). Prof. Mukerjee and Shri Bosu ask why no enquiry was made and why no post-mortem was conducted. They are trying to create some doubt to show that there is something fishy about this whole affair. Nagarwala was done to death; and finished he was silenced-that was the word used. Let us try to consider the facts about these two deaths first. It is well known that this incident took place on the, 24th May, 71 and Nagarwala was arrested the very day. He was produced before the magistrate on the next day i. e. on 25th. His confession was not recorded till the 27th. No judge, including the Sessions Judged who remanded the case said that the confession was not properly recorded under section 164. Full opportunity and statutory warning was given to Nagarwala before his confession was recorded. There is nothing that can be challenged so far as the confession goes. My friend said that the correct procedure under section 251 of the Cr. P. C. was not followed. I do not agree with him for the simple reason that when a man admits his guilt, no other corroborative evidence is required. Therefore, there is no question of miscarriage of Justice having taken place on that score. What the Sessions Judge said was, opportunity should have been given to Nagarwala to ponder over the confession as well as the other documents. On that account, he remanded the case and set aside the conviction. Full justice according to the law of the land was, therefore, done by the Sessions Judge by remanding the case, and the case was being tried. About that, you cannot say that the judicial process was not done in a proper manner. So, after that the case was remanded and the trial was going on.

During the period of trial and remand, Nagarwala became ill. For four months, Nagarwala was being treated not in the jail hospital but from 10-9-71 when he first complained of pain till the 2nd March 72 when he died, he was being treated in Irwin Hospital. Towards the end, he was treated in G. B. Pant Hospital in the coronary care unit. There unfortunately, he collapsed while taking his lunch. So, the best treatment available in this country was given to him. So, what is there to be suspicious about it ? If he had died in jail in police custody, some suspicion can be there. It is a pity that if any person dies in a political party, immediately some people create a dust over it and say that there is some suspicion. Shyama Prasad Mukherjee died—suspicion. Deen Dayal Upadhyaya died—suspicion. Ram Manohar Lohia died—suspicion. We must have some sense of responsibility. Instead of raising such cheap debates and trying to run down the administration or the government by casting aspersions; they must show some sense of responsibility. Let us leave at least the dead people alone; let us not drag them here.

17 hrs.

AN HON. MEMBER : He is losing track of the main discussion.

SHRI VASANT SATHE : I am not losing sight of Rs. 60 lakhs.

Now an atmosphere or climate of mystery is sought to be created. It is made out as if someone died in mysterious circumstances. Which are the mysterious circumstances ? As far as Nagarwala is concerned, he died of a heart attack in a hospital. And yet government ordered an inquest. The report of the chemical analyser is still awaited. Yet they jump to the conclusion that the death is under suspicious circumstances. After the death of a person, the government have ordered an inquest, even though under the law there was no necessity to do so. What more do you expect from the government ?

Then, coming to the death of Shri Kashyap, no man in his right senses would

[Shri Vasant Sathe]

raise any doubt about the death of Sri Kashyap. I do not think even Shri Jyotirmoy Basu has said anything to the effect that he has any doubt about the manner of his death. Then, why do you cast aspersions ? When the car of Shri Kashyap collided with a tonga, his wife and children were with him. How could one imagine that this was planned or planted ? Of course, it is a coincidence. But when you know about the actual fact, why do you cast aspersions or raise doubts about this coincidence ? Therefore, so far as these two unfortunate deaths are concerned, there is no basis to raise any suspicion or doubt, or cast any aspersion on the government, on the country, on the leader, in an indirect and clandestine manner, especially when the person involved is the leader of this country...

SHRI PILOO MODY : Of your party; not of this country...(*Interruptions*)

SHRI VASANT SATHE : Of 55 crores of people.

SHRI PILOO MODY : No, only Rs 60 lakhs.

SHRI VASANT SATHE : They have been routed in the polls and now they...

SHRI PILOO MODY : These Rs 60 lakhs went to rout us.

SHRI VASANT SATHE : They have been routed in the poll because they believe in the bullet rather then the ballot Now they are trying to raise cheap, small, petty things and create doubts in the country Do you think that by raising this Nagarwala episode you can raise your image in the country and make yourselves more popular among the people ? Today it is the Nagarwala case. Tomorrow the poster issue would be coming up. Instead of these small things, why can you not raise some basic policy matters and discuss them ? Then alone will you command respect from the people ?

Lastly, I come to the drawal of the sum. The Finance Minister has explained here so many times that this amount was withdrawn from what is known as the currency chest kept in the State Bank. The State Bank maintains it on behalf of the Reserve Bank. This is a standing arrangement, not after the Nagarwala episode, but even before it. Whenever such large sums running into lakhs of rupees are required, the amount is withdrawn from this currency chest. There ars specific instructions on the subject which the Minister mentioned the other day. It can be operated by two persons. May I submit there is no personal account of the Prime Minister ? This has been stated more than once. There is no personal account of the Prime Minister from which this amount war withdrawn. (*Interruption*) You have been casting that aspersion direct or indirect, all the time. Mr. Piloo Mody has been saying, again and again, in his semi-jocular, funny, buffoonery, manner, whatever it is That is the aspersion. I do not want to run away from it...

SHRI PILOO MODY : Since I have been accused of having said this, let me say, once again, what I have been saying, that this is the money which was given for election funds and this was used to topple State Governments. I have said it not once but hundred times and I thank Mr. Sathe for allowing me to say it once more.

SOME HON. MEMBERS : No, no.

SHRI VASANT SATHE Therefore, I say, again, there is no account run or managed by the Prime Minister. The only account that is known is in the name of the Jawaharlal Nehru Memorial Fund. This has nothing to do with it. That is operated jointly. Why cast any aspersion ?

The Congress has won elections not on the basis of this money, an amount of Rs. 60 lakhs. The Congress has won elections on the basis of the faith that the people of this country have in it. You must realise this once and for all Therefore, I submit that the Opposition is indulging in a futile game. If they realise their real weakness where it lies, I am sure, instead of raising such cheap and shallow discussions, instead of doing that, they will devote time to more serious problems that this country is facing.

SHRI K. MONOHARAN (Madras North) : Mr. Speaker, Sir, at the outset,

fortunately, I must confess that I am not a lawyer like my hon. friend, Mr. Bhagat, because the line between a lawyer and a liar is very thin. (*Interruption*)

Sir, the most controversial figure who was connected with the State Bank fraud to the tune of Rs. 60 lakhs is no more. (*Interruption*) I think, we must have some serious discussion about it. My humble request to all the Members is this. Our intention should not be to score a debating point. We must have a heart-searching today. So, I request my colleagues to listen to my speech patiently.

In the meanwhile, one year has elapsed ever since this fraud took place. It is the dirtiest blot struck on the purest fabric of democracy. My humble request to the ruling party is this. The entire country is shocked and the conscience of the nation is shocked and paralysed. The people of this country have placed their unshakble faith on the leadership of the nation; after the 1971 elections, after the landslide victory, you should not be under the delusion that peple have exonerated the Government of India for this callous crime. The issue is entirely different. In the meanwhile, so many events took place, almost historic, like Bangladesh, refugee problems. So, the patriotic citizens of this country had shelved these controversial matters like this into cold storage, hoping that time would come when they could reoepn the issue and find out a positive solut on. One year, we have been trying; we, Members of Parliament, have written to you, Mr. Speaker, a letter to allow us to have a discussion about Nagarwala case, but, unfortunately, you in your wisdom, though not refused, kept quiet. Now we have got our opportunity, a first-class opportunity, to focus the attention of the country. What happened ? My friend, Mr. Bosu, has brought out how the money was taken away from the chest, from the vaults, of the State Bank of India to the tune of Rs. 60 lakhs. I think, my friend, Mr. Sathe, would concur with me that Rs. 60 lakhs were taken away from the vaults of the State Bank of India by a telephonic talk. Let us have a heart-search. One man telephoned and immediately Mr. Malhotra, the Chief Cashier, attended the phone. From the other side, a request was made, 'We want 60 lakhs for a suprme cause of importance, that is, Bangla Desh.' So, the code language was this. 'The man will be coming there and standing; you hand over the amount to him.' So, goes the story. All the papers have reported this. Suddenly, on the basis of this, this Chief Cashier, Mr. Malhotra, acted and Rs. 60 lakhs were taken away. So many taxis were changed in the meanwhile by Late Shri Nagarwala, and ultimately he was caught; he was arrested, and this was the briefest trial that world had ever known in the history of jurisprudence. I want to ask him; I do not know, I am not a lawyer; Mr. Sathe was saying something; I wish he will shed some light over that. He gave a confessionary statement pleading guilty. The magistrate, in his wisdom, said, 'I accept your confessionary statement *in toto*...

SHRI H. K. L. BHAGAT : He accepted the entire facts...(*Interruption*)

SHRI K. MANOHARAN : I wish you well; you must live long. If tomorrow, you are murdered and Mr. Shyamnandan Mishra goes to the court and says, 'I murdered', then he will be sent to the scaffold...

SHRI H. K. L. BHAGAT : Please do not advise him to do that.

SHRI K. MANOHARAN : You should not take the matter lightly. That fellow issued a confessionary statement and that was accepted immediately within five minutes, five years' sentence was granted and the fellow was put in jail...(*Interruption*) Subsequently, the procedure adopted by the magistrate was questioned. And what action has been taken against the magistrate is not known to me.

Now, Sir, we are a free nation; if I can borrow the expression of my hon. friend, Shri H. N. Mukerjee, we are an open nation...

AN HON. MEMBER : Open society.

SHRI K. MANOHARAN : Open society. Anybody can enter and anybody can get out. That is the society we are having. Sixty lakhs of rupees, I shudder to think. As Prof. Hiren Mukherji has rightly pointed out, even a paisa if I want to draw from a bank, from the money which has been deposited in my name, I have to pass through so

[Shri K. Manoharan]

many ordeals and so many procedures. In order to explain that fully, I think I can quote the *Hindustan Times*. I think the hon. Members opposite should pay meticulous attention about it and think over the matter. This has shocked the moral foundation of this country, the moral foundation of this country is crumbling now. That is why I am saying, let us objectively approach this problem and find out a solution. I quote :

> "What is causing considerable puzzlement is that no one has explained on behalf of the State Bank of India how the whole thing could happen. Nobody can withdraw one paisa from a bank even when the money is deposited in one's own account without a cheque or a pay order or some such valid document."

I hope my friend, Mr. Bhagat, would have no objection for this. Otherwise, your money will be looted from the bank.

> "...Yet a stranger talks with a high official—not the highest—it has to be noted—over the telephone is paid out an extraordinarily big sum and no question asked :
>
> Does the State Bank do its business in this carefree, slipshod, playful manner, one wonders..."

...(*Interruptions*) You had as many adjectives as possible.

> "...Lapses one does not deny, do occur and the shrewdest of men on occasion behave like fools and walk into booby traps. Even so, it is fantastic that hard-hearted top flight bank officials who are supposed to be 'discretion personified' are so easily deceived by the crude gimmic of an amateur trickster."

The Government should ponder over this matter and now I am trying to draw your attention to an unfortunate Supreme Court lawyer who has had 20 years standing. He has got a pathetic observation to make. That observation also I want to submit for the consideration of the pathetic creatures sitting before me.....(*Interruptions*) I think it is perfectly parliamentary. The observation of the senior Supreme Court advocate is this :

> "During my two decades at the Bar I have not come across a single case in which an accused has been led through all steps to making an admission so quickly."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : You know what sort of men lawyers are.

SHRI K. MANOHARAN : I have already explained what is my impression about lawyers. Luckily you were not here.

This is how matters have happened.

Regarding Nagarwala, my friend, Mr. Jyotirmoy Bosu, has explained something about his physique, how he is physically handicapped, whether he can indulge in mimicry.....(*Interruptions*) According to the doctors, he returned from Japan. He met with an accident at the Poona-Bombay road wherein his skull was broken and his lower teeth protruded through the chin and the man has lost his voice and he could not mimic, he could not speak for the past seven months and continuously he was bed-ridden. So, the paper report says that he could not mimic, he is quite incapable of mimicking and he himself was telling, 'How can I mimic such a scintillating sweet voice of a lady like our Prime Minister ?'

AN HON. MEMBER : What a compliment ?

SHRI K. MANOHARAN : I tell you this Nagarwala is a limp. He cannot walk. So, he cannot do it by himself. There must be a gang behind. Which is that gang ? That is the question.

SHRI PILOO MODY : In front of him.

SHRI K. MONOHARAN : I am sorry I want to make an amendment to Shri Piloo Mody's suggestion, namely 'not all'.

SHRI PILOO MODY : Not that sweet voice.

SHRI K. MANOHARAN : Some gang behind. (*Interruptions*) I am talking about Nagarwala. Why should my hon. friends opposite think of their back ? I am talking about Nagarwala, He himself cannot do it as a single solitary fellow. There is a racketing going on, and he was in the know of the whole codewords and all that. This was what Nagarwala himself said. This is according to his own lawyer. I want to draw the attention of the hon. Finance Minister to this.....

AN HON. MEMBER : Now, he is depending upon the lawyers.

SHRI K. MANOHARAN : Was Nagarwala a lone wolf ? According to Nagarwala, he was not. He said :

> "Will I shoulder the guilt of Mr Malhotra also ? If Malhotra is not guilty, I am all the more innocent Bring him in the dock, and let both of us face the music together".

This was exactly what Nagarwala said. There is one other thing also which he has said to which I want to draw the attention of the House.

He said :

'I am not to spare anyone'.

Then he was robust and he was having a robust constitution. I am not attributing any motives regarding the way Nagarwala was killed or the investigating officer was killed. Only after knowing the case history of any individual we can decide whether the fellow died out of myocardial infraction or coronary infraction or something of that kind; otherwise, we cannot. So, I demand of the hon. Finance Minister to submit all the relevant documents relating to his medical treatment and the like. So, I am not going to say anything on whether he was killed or the other officer was killed or some fellows were killed; they might have been killed or might not have been killed. We are in the dark. So, all that we ask of Shri Yeshwantrao Chavan is this. Let him have an inquiry. Let him set up an inquiry commission and let that commission of inquiry go into the question, probe into the matter fully and see whether he was killed or not killed. That is an entirely different matter. But Nagarwala is no more here. That does not mean that the problem is nowhere at all...

SHRI S. M. BANERJEE : Nagarwala is everywhere now.

SHRI K. MANOHARAN : Here is Nagarwala telling :

> "So far, I have been tolerant and patient." This is Nagarwala speaking.

> "I was not on my own but just a carrier. If the person to whom I was to deliver the money was not at the pre-arranged spot, what was I to do ? And I got caught as I thought I would."

The last one is very revealing and shocking, and that shows that there was something fishy about it. That must be discovered and found out. He says :

> "I have waited enough. Now I am going to unmask everybody".

The next day he died out of heart attack. I do not attribute motives for it. It might be coincidental or accidental or something of that kind. But he said :

> "I have waited enough: now I am going to unmask everybody".

SHRI PILOO MODY : It is known as coaccidental.

SHRI K. MANOHARAN : It was not only that. Nagarwala was telling another thing also. I feel proud of it He says :

> "Mr. Maheshwari, my lawyer, I am going to give you startling disclosures very shortly in the court of law, but one thing I must say, the Prime Minister is not at all involved in this case".

AN HON. MEMBER : Who else is ?

SHRI K. MANOHARAN : Who else is ? That is the question. The Prime Minister is not involved in this case. This is what Nagarwala has even said to his own lawyer. So, I want to ask Shri Yeshwantrao Chavan, and I want to put the same question to Shri Yeshwantrao Chavan and I hope that he as a responsible Finance Minister would answer this question. Do not think that political opposition is airing the question to you with a view to extorting something. It is a matter concerned with the entire country. The entire country is watching us now outside. "The Nagarwala discussion will come;" how many telephone calls I have been receiving ? They say, they want to know, what about the truth of it. So, the entire country is watching us. You have got a halo or a nimbus around your head after the election and you claimed yourself that you are the custodian of secularism, socialism, integration, democracy and what not. The people believe you. The people have reposed confidence in you. Come and say, Do not let down the people and betray the people of this unfortunate country. They are expecting much. This Rs. 60 lakhs was a daylight robbery on one day right under the very nose of the Prime Minister and right under the very nose of Parliament in the capital city of India. Are we not ashamed of it ? Please have a heart-searching.

I want to put some questions to Mr. Chavan before I finish my speech. The first question is this. Rs. 60 lakhs—I want to know whose money it is. I do not know the source or the ownership of this money. I want to know to whom does it belong. If anybody says it is the State Bank's, the State Bank never expected to hold this much money so far. The State Bank never owns the money. So far, the State Bank did not come out with the statement saying that "this money is ours, or that has been drawn by somebody." Then, whose money it is, Mr. Chavan must reply. If Mr. Chavan has got the reply, let him reply. All I would say is, Mr. Chavan must reply to this question, because it is a vital question.

MR. SPEAKER : Five minutes more.

SHRI K. MANOHARAN : The second question is this. The first trial of Nagarwala having been set aside, as violating all judicial procedures, what action has been taken against the magistrate by the Government or the high court ? This is my second question. Are you hearing, Mr. Chavan ?

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : I am listening.

SHRI K. MANOHARAN : My third question is—

SHRI YESHWANTRAO CHAVAN : What was your second question ?

SHRI K. MANOHARAN : Are you so absent-minded ?

SHRI YESHWANTRAO CHAVAN : I wanted to be sure about what you are asking.

SHRI K. MANOHARAN : You must be careful; we are discussing a serious problem. My second question is—once again, for your information—the first trial of Nagarwala having been set aside, as violating all judicial procedures, what action has been taken against the magistrate by the Government or the high court ? My third question is, *(Interruption)*—if the first trial of Nagarwala could be held and finished in a few minutes, why should the case against Malhotra be pending for so long ? Nagarwala was brought in within five minutes, charge-sheeted, the case was investigated and he was sent to prison within five minutes. The problem was over. But then the problem of Malhotra is still pending It is being dragged on. Why ? That is the question. The fourth question is, the present status of Malhotra. Is he under suspension or is he still working as a Special Adviser to the State Bank of India or, has he been promoted, or promoted for anything else ? I do not know. I want to know that.

The fifth question is, under what authority was Mr. Malbotra keeping the money in the vault when the ownership of the money was not declared. When the State Bank has not so far claimed it as its own ?

The sixth question is, what prevented the Prime Minister or the Finance Minister or the State Bank of India itself...*(Interruption)*—please keep quiet. Let me finish. What prevented the Prime Minister...*(Interruption)*

MR. SPEAKER : Order, please.

SHRI K. LAKKAPPA (Tumkur) : He cannot say, Sir, "Please keep quiet." How can he say that ? (*Interruption*)

SHRI K. MANOHARAN : I am used to this conglomeration of chaotic noise. I can afford to ignore these interruptions. My sixth question is: what prevented the Prime Minister or the Finance Minister or the State Bank itself from making a statement so far ? One year has elapsed. Malhotra was known to be an efficient and experienced officer; nothing has been said why he acted in—what the Finance Minister called—a stupid manner.

MR. SPEAKER : Please conclude now.

SHRI K. MANOHARAN : My last demand, along with my hon. friend Mr. Bosu, is that there should be a commission of enquiry to go into the question, covering—I am not supplying the terms of reference but am suggesting something for your consideration—the ownership of the money, Nagarwala's trial and Malhotra's part. All the three must find a place in the terms of reference and it must cover as wide a field as possible. You must convince the country by showing that the Government is sincere and above board; it is like the Caesar's wife; they should show that they have nothing to do with the money. Unless and until the Finance Minister comes forward with a statement convincingly explaining the whole position, I warn that the so called image that you have built up with great difficulty, with the co-operation of the people and the opposition parties will be turnished.

MR. SPEAKER : We have fixed two hours for the debate; Members have already taken $1\frac{1}{2}$ hours. The hon. Minister will take about an hour for reply. Let the debate go upto 6 O'clock and I shall call the Finance Minister at 6 O'clock. Members may limit themselves to five minutes and make only points.

SHRI SAMAR GUHA (Contai) : What about my half an hour discussion ?

MR. SPEAKER : It will be further postponed. Let us see.

SHRI VIKRAM MAHAJAN (Kangra) : This discussion is another attempt to start a mudslinging campaign as the repeated attempts made recently to start a smearing campaign and I am sure they will fail as usual. After all what happened in this case ? A man called Nagarwala cheated the State Bank of India and took away Rs. 60 lakhs but was caught. One of the hon. Members is trying to make a hero of him and he read out his qualifications; Mr. Bosu was saying that he was a very qualified men. I submit that it might happen that a good men might turn to be bad; this is one such instance. There are many occasions when banks are cheated but they have never become subjects of discussion in the House. If a thief takes the name of an hon. member of this House or if a forger takes the name of an hon. member of this House or if a dacoit robs a bank and takes the name of an hon. member of this House, will it become a subject for discussion in this House ? I am surprised that one of the dacoity cases has become the subject of discussion here.

One hon. member said, this is the briefest trial in the history of courts. Probably he is ignorant of how a trial takes place when confessions are made. On 25th May Mr. Nagarwala expressed his desire to make a confession. 24 hours later he was produced before a magistrate who recorded his confession. On 27th, he was convicted. Let me read out the relevant section from the Cr. P. C. dealing with confessions : Section 251A reads thus :

> "(4) The charge shall then be read and explained to the accused and he shall be asked whether he is guilty or claims to be tried.
>
> (5) If the accused pleads guilty, the magistrate shall record his plea and may, in his discretion, convict him thereon."

The magistrate did what the law said. Nagarwala later on realised that he probably could have got a lesser punishment if he had fought the case. So, he appealed. Even the Sessions Judge did not say that the confession was not voluntary. He merely said there was a procedural defect. I quote from his judgment :

[Shri Vikram Mahajan]

> "On the same day, i. e. on 27-5-71 the accused had made a confessional statement. A chararsgheet was presented to the court against the accused and the accused was furnished documents under section 173 Cr. P. C. However, thereafter, adequate time was not given to him to consider these documents and the charge was immediately framed against the accused..."

Hence he set aside the conviction and ordered a retrial. I personally feel it was a wrong decision and the State should have appealed against that. But probably Government thought it was not worthwhile to take shelter behind technical points. So, the Sessions Judge ordered a retrial on the basis of that short technical point. Therefore, the accusation that the judiciary was bought over or that the trial was not fair is absolutely wrong Another point was made that the investigating officer was done to death, was murdered and he did not die a natural death I have never heard of a case where a person was travelling in a car and an attempt was made to kill him by banging a tonga against the car. If members who have made this strange charge apply their common-sense, they will realise that such attempts are never made.

The whole attempt of the opposition to throw mud on the ruling party shows that they are trying to catch the last straw, because they have been thoroughly beaten in the last two general elections. In 1971 they had a thrashing and again another thrashing in 1972. They have lost on all economic issues and they have failed to convince the public. Out of frustration they are trying to catch up such small cheap issues so that they can try to revive themselves in the public. Out of frustration they are trying to raise such issues like robbing the banks and trying to make themselves heroes. They do not understand that if the people of India had believed in their fables, their stories, they would have voted for them in 1971 and in 1972, because the incident took place before the general elections It clearly shows that the people are satisfied with the explanation given by the government. That is why they voted for the ruling party and the Congress party has been returned to power with such a massive majority. It also shows that the people of India have rejected the stories which they are trying to circulate. This is like beating a dead horse.

Sir, I would suggest that false charges should not be permitted to be raised in this House. Otherwise, it will become a common feature and members will be tempted to raise similar issues again and again. They are really cock and bull stories based on the evidence of dacoits; forgers and thieves. So, such discussions should not be allowed to be raised in this House.

Then, a question is asked whether Shri Nagarwala really died of heart attack or whether it was a deliberate murder. Death strikes when one least expects it. I do not think anyone in the opposition thinks that he is immortal. No one is immortal. Everyone dies when the time comes. It so happened that Shri Nagarwala's time came when he was on trial. It was just sheer accident. This was not his first heart attack. According to the medical report he was having heart trouble for the last three or four months. In fact, he was under treatment from the 18th August, 1971. For the first time, a heart attack was detected on the 14th January, 1972 and he died on the 2nd March, which means, two months later. He might have had some more attacks in between. It is well known that when a person gets a second attack it is a miracle if he survives and the third one is normally fatal.

Finally, I would say these are cock and bull stories and an attempt to catch at the last straw so that they can throw some mud on the ruling party. Having failed in the elections they are trying to become popular in this cheap way. We have no doubt that they will fail here also.

श्री जगन्नाथ राव जोशी (शाजापुर) : अध्यक्ष महोदय, यह जो विवाद खड़ा हुआ है यह राष्ट्रीयकृत बैंक से 60 लाख रुपया जो निकाला गया इस बात को ले कर हुआ है। मेरी समझ में यह बात नहीं आती कि अधिकारारूढ़ दल यह अपने ऊपर क्यों लेता है ? यह मामला सब का है। बैंक सबके हैं। एक बैंक में से 60 लाख

रुपया निकाला गया जिसके लिए इतना सारा विवाद खड़ा हुआ। यह क्या दलगत बात है यह हमारी समझ में नहीं आता। इसमें संबंधित व्यक्ति हैं एक नागरवाला, दूसरा मल्होत्रा, तीसरी सरकार और चौथी आम जनता। इन सबका इसके साथ संबंध है। नागरवाला का कहना क्या है, वह उन के इकबाली बयान पर आधारित है। या जो उन्होंने पत्र लिखा है या किसी को कुछ बताया है, उस पर आधारित है। दो दिन तक यह मामला इस सदन में चलता रहा, जिन मल्होत्रा ने स्वयं बैंक की साठ लाख रुपये की राशि उठा कर दी, उन को क्यों नही पकड़ा गया—ये सीधे सवाल हम बहुत समय पूछते रहे, किन्तु वित्त मंत्री महोदय ने यह नही कहा कि इतना बड़ा भारी घपला हुआ है, उस आदमी के खिलाफ अमुक कार्यवाही की जायगी। The only thing that the Finance Minister was saying was that the man had been suspended.

हम इस से सन्तुष्ट नही थे, फिर लाबी से चिट्ठी आई, उसे पढ़ कर मंत्री महोदय ने सुनाया कि—The man will be arrested under section 409 of the I. P. C.

मै वकील नही हूँ, इस लिये नही जानता कि 409 क्या चीज है, लेकिन इस सदन मे आप ने पढ कर सुनाया, इस लिये हम जानते है—यह रिकार्ड पर है। अब इस केस को एक साल हो गया है—जिस व्यक्ति ने साठ लाख रुपया निकाल कर दिया, उसको और जिस व्यक्ति को दिया गया, उसको, दोनों को आमने-सामने खड़ा कर के इस की जाँच क्यो नही की गई ?

इस मामले मे प्रधान मंत्री जी का नाम घसीटा गया, विरोधी दलों ने नहीं घसीटा, प्रधान मंत्री जी के नाम से या जो उनके सचिव हैं, उनके नाम से फोन पर बात हुई, यह बात स्वयं मल्होत्रा ने सामने लाई है, हम नहीं लाये। जब देश की प्रधान मंत्री जी का नाम घसीटा गया था, तो यह सरकार की सबसे ज्यादा जिम्मेदारी थी कि उसकी पूरी जाँच करके वस्तुस्थिति को सामने रखते कि कौन किस को धोखा दे रहा था। यह कोई व्यक्तिगत विश्वासघात का मामला नहीं था—कोई मित्र मेरे पास आता है और किसी का नाम बता कर पैसा ले जाता है और बाद मे पैसा मिल जाता है तो यह एक व्यक्तिगत बात हुई, लेकिन यहाँ तो पैसा बैंक का था, यह मामला व्यक्तिगत पैसे का नही था, बैंक से साठ लाख रुपया निकाल कर कैशियर ने दिया है। एक पोस्टमास्टर भी अपनी पत्नी को गफलत में बिना 10 पैसा लिये कार्ड देगा तो सस्पेण्ड कर दिया जायगा, लेकिन यहाँ तो बिना वैलिड वाउचर के 60 लाख रुपया दिया गया और एक साल हो गया हम को मालूम नहीं कि क्या कार्यवाही की गई। जनता को मालूम नही है कि इतना पैसा देने के बाद भी मलहोत्रा जी के खिलाफ कौन सी कार्यवाही की गई, यदि कोई कार्यवाही नहीं हुई तो क्यों नही हुई, इसका जवाब जनता जानना चाहती है। जब हम चाहते है कि राष्ट्रीयकृत बैंकों का एक-एक पैसा जनता के भले के लिये खर्च हो, तो यहाँ तो 60 लाख रुपये का गबन होना है और साल भर तक कोई जाँच नही होती, तो जनता का विश्वास इस तरह से नही बनेगा। इस समय सवाल जनता का है, जनता पूछ सकती है कि इतना बड़ा भारी घपला होने के बाद एक साल तक शासन ने क्या किया, सरकार ने क्या किया, सारे तथ्य सामने क्यों नहीं रखे ? अपोजीशन को इस के लिये काशन का कोई मतलब नही है।

मै पिछले सदन में भी था और इस सदन में भी हूँ—क्या एक साल से कोई चीज सामने आई ? उस समय भी मेरा मुंह यह कह कर बन्द किया गया—दि मैटर इज़ सबजुडिस। हमने उस समय भी काफी सवाल उठाये थे, लेकिन उनके जवाब नही मिले। मैं स्वयं जेल मे गया था, नागरवाला जी से मिला था। उनको बोलने में कठिनाई होती थी, आधा घन्टा बैठे, एक घन्टा बैठे, तब उन्होने कहा कि मैं आप को लिख कर देता हूँ और उसको मैंने 10 अगस्त को जब फंक्शनिंग आफ दि नैशनलाइज्ड बैंक्स पर बहस चल रही थी, तब उठाया। मैंने उस

[श्री जगन्नाथराव जोशी]

के कुछ उद्धारण यहां पढ़कर सुनाये थे। नागरवाला ने स्वयं लिखा था—Why do you catch the tail of the bull and not its horn.

यह रिकार्ड पर है। इसका क्या जवाब आज तक मिला, जब नागरवाला स्वयं कहता है कि इकबाली बयान जबरदस्ती लिया गया, पता नही कैसे हो गया, सबके सामने नही लिया, एक बयान हो गया, दूसरे का नहीं हुआ, जब इस तरह की कोइन्सीडेन्टल बातें हुई, तो इनकी वजह से मिस्ट्री ज्यादा बढ़ गई। मैं कश्यप की दुर्घटना के मामले में नहीं जाता हूँ, लेकिन स्वयं नागरवाला ने जो कहा था, जो पत्र लिखा था, जिसकी फोटो-स्टेट कापी मदरलैंड में छपी है, जिसमें वह कहता है—I have been a victim of strange circumstances.

क्या सरकार की जिम्मेदारी नही हैं कि सब तथ्य सामने रखे। हम सरकार को एक्यूज नही करते, लेकिन सवाल एक राष्ट्रीयकृत बैंक के, 60 लाख रुपये का है, वह रुपया कैसे गया, क्यों गया, जिन्होने दिया और जिन्होंने लिया क्या दोनों का षडयंत्र नही। था कैशियर भी षडयत्र कर सकता था, प्राइम मिनिस्टर की आवाज निकालो उस पर पैसा दे दिया गया, यह किस का षडयंत्र था, इन्होने क्या बताया, उन्होने क्या सुना, वह स्वयं क्यो गया, बैंक की गाड़ी क्यों ली, कैशियर स्वयं क्यों गया, यह सारा मामला हमको आज तक पता नही है। यह तथ्य सामने आयें। इसलिए जहां तक नागरवाला का सवाल है, वे आमतौर पर कहते थे, मेरे सामने भी कई बार कहा :

The Prime Minister is absolutely innocent.

हमने कहा हम किसी को एक्यूज नही करते।

We want to solve the mystery.

यह क्यों हुआ, यह बात बताइये। हम किसी को एक्यूज नहीं करते। हमने प्राइम मिनिस्टर का नाम नहीं लिया। उन्होंने स्वयं लिया कि प्राइम मिनिस्टर और उनके सचिव की आवाज में कहा इसलिए पैसा दिया गया। हमने नहीं कहा।

He considered himself to be the tail of the bull. In this case we wanted the horn.

उसको आप क्यों नहीं पकड़ते ? खुली अदालत में कुछ नहीं हुआ और आज हमारे सामने भी यही अंधेरा है। इसलिए हम कहते हैं कि यह मामला कोई व्यक्तिगत नही है। इसमें कांग्रेस पार्टी या किसी भी पार्टी का सवाल नही है। मामला राष्ट्रीयकृत बैंक मे पैसे का जो घपला हुआ हैं उसका है। यह सवाल इसलिए आपका भी है, हमारा भी है और जनता का भी है। इसमें कोई भी दलगत सवाल नही है इसलिए आप क्यों कोई तरफदारी करें। हम सभी इसके तथ्य जानना चाहते है। पिछली बार आपने कहा मैटर सबजुडिस है इसलिए हम बोल नही पाए। और आज जो मुख्य व्यक्ति था वह चला गया। एक व्यक्ति है मलहोत्रा जोकि इस मिस्ट्री को खोल सकता है। जिनको बीस साल का तजुर्बा है उन्होने बिना वैलिड वाउचर के साठ लाख रुपया कैसे दिया ?

Was it the first transaction or one of the transactions that went on ?

इसलिए वह मन मे आ जाता है। आखिर में इसीलिए हम सारे तथ्य जानना चाहते हैं। यदि बसु जी का सुझाव आपको मंजूर नही है तो आप कोई दूसरा प्रोसीजर बतायें जिससे कि सारे तथ्य सामने आ सकें और जो दोषी हो उनको सजा हो सके। क्योंकि जब स्वयं वे मित्र को कहते है कि मै सारी बातें खोलकर बता दूगा तो दूसरे ही दिन उनकी मृत्यु हो जाती है। इसलिए मन में अन्देशा पैदा होता है। ऐसी दशा में इसको कोई दलगत सवाल समझकर उड़ाने की कोशिश न करें। यह सवाल राष्ट्र का है, राष्ट्रीयकृत बैंक का है और बैंक में काम करने वाले कर्मचारियों का है। इस प्रकार से

यदि प्रीसिडेन्ट बन जाता है तो फिर किसी ने फोन किया, 60 लाख रुपया दे दिया, किसी चीफ मिनिस्टर ने टेलीफोन किया तो दस लाख दे दिया, जिला परिषद के चेयरमैन ने कहा तो दो लाख दे दिया।...(व्यवधान)...इसलिए जहां तक बैंकों का सवाल है, वह ठीक अनुशासन में काम करें जोकि इस देश के हित में हो, इसके लिए इस को दलगत सवाल न बना करके पूरे तथ्यों की जानकारी माननीय वित्त मंत्री जी सदन के सामने रखें जिससे सभी का समाधान हो।

SHRI B. K. DASCHOWDHURY (Cooch-Behar) ? We are having a very interesting debate on the issue of Rs. 60-lakh fraud case that happened last year. The mover of this discussion wanted to whip the dead horse expecting that it could move and run also. Unfortunately, the mover of the discussion could not give any clue, could not put any questions to the house which the hon. Minister might answer. No doubt, Sir, he made out certain points depicting the character and the personality of the person, also alleging that Mr. Nagarwala belonged to the group of secret service. That was his private information...

17.55 hrs

[SHRI R. D. BHANDARE *in the Chair*]

SHRI M. RAM GOPAL REDDY (Nizamabad) : Which he made public.

SHRI B. K. DASCHOWDHURY : That was the private information which probably he got by his association with the service officers. Whatever it be, the main question that has been posed in this discussion is; what is really the mystery and the mystery followed by the furore ? There is no doubt about it. That is a matter that should be tackled. The real import of this one is that some one telephoned and on the basis of this telephone call, a large amount of money, Rs. 60 lakhs, was taken out of the vault of the State Bank of India. Questions were also raised as to on whose account the money, that huge amount of money, a block of money was deposited. The basic fact is this. In the vault, it is not necessary that a particular sum of money is to be accounted for. It is the total amount of money, that has been deposited in the vault for safety and security. And what happened is that under the Treasury Rules, only some authorised persons of the bank are entitled to take out the money form the vault. In that case, Mr. V. P. Malhotra was one of those authorised persons When this Mr. V. P. Malhotra, the then Chief Cashier of the State Bank of India instructed his deputies and the juniors to take out the money. It was adequately demanded by certain other officials to have a proper receipt on that. As a matter of fact, as reported in the newspaper, the entire amount that was taken out from the vault under certain special circumstances, was entered into. So, that was not the question. The question is : how this big amount of money was deposited with the vault, safety vault and it was placed in whose account ? That was simply a safety vault where large amounts of money, may be Rs. 60 lakhs, may be Rs. 6 crores, are usually deposited as a measure of security.

The next question which really seems to be very mysterious is : how that money was taken out and for what purpose and about this mysterious fact, the hon. Finance Minister made it veary clear in his statement as has been read out by the mover, that it was really fantastic, it was unusual and it was not proper on the part of a very responsible officer of the Bank to act in such a manner. Thereafter, the enquiry and the other things followed.

Questions have been raised as to why the Prime Minister's name has been dragged into this picture...

SOME HON. MEMBERS: No body did it.

SHRI B. K. DASCHOWDHURY : I have not yet finished.

...into the picture not even by the Opposition, not by the Opposition leaders but by some bank officials. What was tne wrong for the Prime Minister to deny ? The mover has already referred to that. If some body referred to the name of the Prime Minister, when it has been adequately stated by this categorical statement, as referred to by the hon. Member, Mr. Manoharan, that the Prime

[Shri B. K. Daschowdhury]

Minister was not at all connected with this matter, does it require the Prime Minister to deny it specifically? On behalf of the Government that was denied by the hon. Finance Minister and that all actions are being taken against Mr. V. P. Malhotra in the matter.

The second point raised is that action has not yet been taken against Mr. Malhotra who acted in an unauthorised manner. It has also come out and come to light in the course of the discussion that action has already been taken.

SHRI S. A. SHAMIM (Srinagar) : What action ?

SHRI B. K. DASCHOWDHURY : He has been suspended. There is an inquiry and the inquiry report has already been submitted to the Government which is under consideration of the Government now. Government will certainly take further action. Hon. Members should appreciate the situation that whenever any such mysterious thing takes place, there must be certain procedures to be followed. In this case, the main action that has to be taken is against Malhotra who seems to be the first man who acted in an unauthorised way. Action has already been taken in this regard. The matter was sent to the committee of inquiry, and this inquiry committee has already submitted its report to Government, as I have said, it is under their consideration.

18 hrs.

The other question which has been asked is why Mr. Kashyap had met with such an accident and what the reasons for his death were. My hon. friends from this side of the House have already explained this matter. Questions have also been raised about Mr. Nagarwala's death. It was not the first time that Nagarwala fell. He was going through certain processes of treatment continuously for months and months together. It was only on the 2nd March of this year, 1972 that he died. Even after his death, there are certain inquiries about what led to the circumstances of his death. Those inquiries are still going on.

About the accident case, everybody knows that an accident is an accident, over which there is no human control. As a matter of fact, Mr. Kashyap was one of the inquiring officers; he was a sub-divisional police officer; while he was coming to Delhi from outside, just in the opposite direction some tongas were coming and they were just speding up their vehicles at a very high speed and the particular vehicle or car collided; in that car Mr. Kashyap had his own relations also. Those relations had nothing to complain about, but I find that it is only to have a certain political game that some of the hon. members have raised a doubt about the death of Mr. Kashyap.

The hon. members who raised this discussion knows full well that there are certain inquiries going on about his death, and the inquest report has not yet been received by Government. So, considering all these circumstances, whatever might be said against the Government. I do not understand why the hon. member gets so much agitated over this.

The only basic point was really the mysterious conduct on the part of Mr. Malhotra. What was the ultimate result of this big mysterious case ? The Government and their machinery acted so promptly that almost the entire amount of Rs. 60 lakhs, leaving aside about Rs. 2400 or so which could not be recovered, was recovered. Even when Government have acted with all prompt attantion to recover this entire amount so that there may not be any loss to the national exchequer, we find that Government are being blamed and the reputation of the Government is put in doubt. As a matter of fact, the measures taken by Government shall have to be appreciated by us. So, the basic question that remains is about the actions of Mr. Malhotra. I understand that Government will certainly take proper action. They will take whatever action is necessary after going through the inquiry committee's report, and they will certaintly announce it when the proper time comes.

I do not see that there is anything that questions the reputation of the Government. On the contrary, the reputation of the Government has been enhanced by the way in which they have dealt with the matter.

SHRI SHYAMNANDAN MISHRA (Begusarai) : So far as I see it, the subject relates to two Finance Ministers. One Fianance Miniser is of the Government and another of the...

AN HON. MEMBER : Ruling party.

SHRI SHYAMNANDAN MISHRA : ruling party; my hon. friend has guessed rightly that Mr. Malhotra is the Finance Minister of the ruling party. That is what this case has uncovered and the country has taken due note of it.

Now, Mr Chairman, I hope the Fianace Minister who is just infront of me has already consulted the other Finance Minister before coming to the House and replying to the debate We seem to be living in the strangest of all the worlds. We are living in the days of the most irresponsible courts, and I would not like to mince words about it. We are living in the days of the most irresponsible police, the most dishonest, corrupt and servile police, and a police which behave like the domestic servant of those who are in the Government. We are living in the days of the most irresponsible State Bank of India. Finally it is bound to be so in the final count—we are confronting the most irresponsible Government.

The Government does not come out with any statement as to what has happened. The event has shaken the entire country and it has been characterised as the greatest fraud of the century; yet, it has not prompted the Government to come out with a statement; and that point has to be hammered into them But I know they are going to evade any inconvenient questions, and the Finance Minister is very adept in making a very political reply. But thereby he would be deluding himself, for he cannot give a sop to his own conscience.

On this question, we did not have any statement from the State Bank of India either, What is this strange creature of the State Bank of India ? Is it responsible to the country ? Is it not a creature of legislation by this House ? And yet, this body did not come out with any explanation about this incident in its annual report; they have mentioned all kinds of things such as organisation, research and so on but not this. Am I going to put up with any kind of reply from the Finance Minister which suggested that it was a subject which was not considered fit enough to be included ? I have gone through every sentence in the annual report, and the report does not make any mention of this.

Here, I am standing before you to say that I wrote a letter to the Chairman of the State Bank of India. Now he seems to be the person who deserves the highest punishments for all that has been done. I wrote him a letter about three weeks back, may be on the 4th of this month, but I did not elicit a reply from him till yesterday. I wrote to him, as a depositor, as a Member of Parliament who is responsible to his people, for the nationalised banks and so on. But then, the Chairman of the State Bank of India did not think it fit to reply to my letter till yesterday. And when the letter comes, it is such a curt, useless reply. I must give it the contempt it deserves. He is the person who must be ejected from office If this one instance does not make the Government get out of office, at least the Chairman of the State Bank of India must go out.

MR. CHAIRMAN : Don't be so angry, since he has not replied.

SHRI SHYAMNANDAN MISHRA : I may not be, but I think Lord Buddha must more compassionate. (*Interruption*). What I am suggesting is, this incident would have blown any government to pieces in any advanced country, or the government, on this very incident, would have resigned of its own accord. We do not think that the Government of any other party would have come in that event we know their position in this House. This Government should have gone out of office because for this incident, there is no parallel and no explanation to the satisfaction of the people till now. And therefore I was saying that we are living in the day of the most irresponsible Government and some of its important organs.

We are raising this question in this House because the integrity of the banking institutions and the people's faith in them are not only vital to the economic growth but they are also vital to the maintenance of

[Shri Shyamnandan Mishra]

the moral fabric of this country. If this point is not borne in the mind of the ruling party, I think they are not fit enough to run this country. That is the basic question which has been raised by all Members, one Member after another, from this side of the House, and they must address themselves to this.

May I say a few words about the strange trial we had in the court and about the role of the court ? Can any body in his senses say that this matter has gone through a trial in the court ? If this was a trial, you will have to find a new definition for farce. This was the most farcial trial you have seen ever in history. It has been amply pointed out by one hon. speaker after another—the record speed with which this matter was hustled through not only in the case of celebrated Nagarwala but also in the case of Mr. Malhotra. The way in which the trial was conducted is prima facie proof of the fact that the prosecution was anxious to bury the matter with the utmost speed and haste and the court was only too willing to oblige it. It makes our head hang in shame. This is not the trying court that this democracy deserves. Let this be carried home to the trying officers of the criminal courts, that they have brought down to ashes the reputation of the trying officers in this country. In the Godse case, in the trial of the murder of Mahatma Gandhi...

MR. CHAIRMAN : Please try to conclude.

SHRI SHYAMNANDAN MISHRA : I cannot make myself rudiculous; I must have my full say. This is a subject on which I shall have to assert my right. I have been waiting for my chance...If need be you extend the time.

MR. CHAIRMAN : There are certain limitations; I shall have to call the hon. Minister at 6·30.

SHRI SHYAMNANDAN MISHRA : I was saying that even in the case of Nathuram Godse, although he made a clean confession of his guilt, the trial lasted two years. In the case of Bhagat Singh who was courageous enough to confess his guilt, the case lasted for quite a few years. In the case of Kennedy's murder, although the accused said he had fired the fatal shot that killed him, the Government of the day came the conclusion that the matter required deeper probe.

Here it is not a solo performance of Mr. Nagarwala or Malhotra. Would the Government ask anybody in his senses to believe that it was a solo performance ? Even in the matter of withdrawal of funds from the vaults of the State Bank, it required a number of persons to be associated with it. What has happened to those accomplices ? Why have they not been brought to book ? Therefore, I was saying that the courts have behaved in the strangest manner possible. One is almost tempted to say that this is a greater fraud on both the procedural law and the substantive law than the fraud committed on the State Bank of India. Therefore, I should say that this matter has not gone through the trial and it requires further trial and there is a valid case for submitting this to the commission of inquiry.

Let me say one word about the wonderful role of the police. The police has always been used by the ruling party for its own private purpose. We have seen examples of this in this very city of Delhi. I appeal to their sense of judgment in this matter.

MR. CHAIRMAN : Try to be short.

SHRI SHYAMNANDAN MISHRA : There could have been a successful prosecution of Mr. Malhotra. Even if 409 was the section under which the case was being conducted, section 409 read with section 405 did provide ample scope for convicting Mr. Malhotra, but that was not done. Don't you ask yourself, Mr. Chairman, a few questions ? The FIR was filed in the Chanakyapuri police station, quite a few miles away from the State Bank of India and not in the Parliament Street police station near the State Bank. Why was not this question asked as to why the FIR was filed at such a distant police station ? If the FIR was properly examined, even on the basis of

FIR at Chanakyapuri, Mr. Malhotra should have been prosecuted. The bank official bad said in his FIR at the Chanakyapuri police station that Mr. Malhotra withdrew the amount wrongfully and he refused to produce a receipt for it. Was that not enough basis for proceeding against Mr. Malhotra ? But the prosecution officials elected to prosecute him on the basis of another FIR, which had attracted the very sarcastic comment from the higher court that the case was made in such a way as to collapse before the court ! A most dishonest thing happened in this manner.

Why did the case fail ? The most important point to note is that police did not challan properly; the police did not frame the charges properly; the police did not put up the case before the court properly. That was the reason why the case failed. Therefore I say that it is the most dishonest way of dealing with the matter.

There are so many loopholes left in the case. The most important one to which I am going to draw your attention is this. It was said by the trying officer that there would be an opportunity for hearing Mr. Malhotra; during the course of the trial of Nagarwala he is going to be cross-examined. That trial is not going to come about now. That trial related to Mr. Nagarwala. When will we have an opportunity of hearing Mr. Malhotra about the whole story ? There are so many points essentially of a legal nature, which could not be cut short. Even so, I have to accept the limitation of time.

Why has the government not thought it fit ot prosecute Shri Malhotra so far ? The plea cannot be taken that Shri Malhotra's case does not stand judicial scrutiny. The plea could not be taken because the case was dishonestly proceeded with, the case was not properly processed. I ask you, if there is a sabotage by an official in the Secretariat and if the police does not take cognizance of it, would the Government of India sit supine ? Is the Government of India so helpless as not to take action against an official ? If an official wants to blow up the Secretariat, would you depend completely on the police ? Now, if we are not that helpless in this matter, then the government should have found a way of prosecuting the chief culprit in this matter, Shri Malhotra. But the government has not thought it fit to do that. Here is a person who has breached all possible laws in the banking system, and yet he is flourishing quite well. So, there is a case for a commission of inquiry. Without a commission of inquiry the doubts in the minds of the people are not going to be cleared. Since there have been so many loopholes left in the matter, since this case has not been processed properly, since the Government of India has lent itself to the charge that it has stakes in truth not coming out in the matter, since the Government of India has lent itself to the charge that it has pressurized the police and the magistracy in this matter, there is a clear moral obligation cast upon the Government of India to institute a commission of inquiry under the Commission of Inquiry Act. Then alone the public mind can be clear about it.

SHRI C. M. STEPHEN (Muvattupuzha) : Mr. Chairman, Sir, I consider it really a good turning point that at the fag end of the present session of Parliament this discussion has come up.

SHRI S. A. SHAMIM : Much worse is yet to come; the poster issue.

SHRI C. M. STEPHEN : Parliament has disposed of serious business, has passed momentous Bills and now we are in a mood to take a little rest and at that time it is only proper, and in a way welcome, that these matters are raised, one today and another put up for tomorrow. I was listening, if I may so claim, with a considerable measure of open mind to the speeches that were being made by the spokesmen on the other side. Apart from my capacity as Congressman, as a Member of Parliament I really wonder if I could find out some material which would prick at least my conscience in the back, as a part of the ruling party. But I must confess to a feeling that nothing new has really come out.

SHRI S. A. SHAMIM : That is the tragedy.

SHRI C. M. STEPHEN : I do not want this running commentary. Now, we are dealing with a really serious matter.

SHRI K. D. MALAVIYA (Domariaganj) : They are not serious.

SHRI C. M. STEPHEN : In the opposition also, not all but those who took the initiative in the matter, concede that it is a serious matter. So, I would appeal to them that they must have the fairness to keep an open mind to hear whatever is attempted to be said from here, if the effort is to find out the truth and not merely to malign the ruling party.

Now what has come out here ? I was relieved to hear responsible leaders from the other side, Shri Manoharan, Shri Jagannathrao Joshi and Shri Mukerjee comming out with statements that they do not have any allegation against the Prime Minister of India. There is the statement of Shri Nagarwala stating clearly, you may call it a declaration before his death that he has absolutely nothing to say against the Prime Minister and she is not involved in this.

SHRI S. A. SHAMIM : But the Prime Minister needs Shri Nagarwala's certificate !

SHRI C. M. STEPHEN : I am quoting the Opposition member. But there are two solitary exeeptions. One is Mr. Jyotirmoy Bosu. Certainly, we will not be surprised at any statement that he may make. Mr. Joytirmoy Bosu made out a statement that there is a skeleton in the cup-board and he implied by that that the Prime Minister is involved.

There is another Member, Mr. Shyamnandan Mishra, characterising the whole thing as irresponsible. He made a statement which I may be permitted to say is more irresponsible than anything I have ever heard. He made a statement that the Congress party is involved in that. I am not s rprised, Because I know the mental background in which he is.....(*Interruptions*) He is desperate now; he has lost his balance..... (*Interruptions*)

SHRI K. MANOHARAN : On a point of order, Sir. I want to know what is the mental bcakground of Mr. Shyamnandan Mishra.

SHRI C. M. STEPHEN : I have no time.

I do make an appeal to you. The whole argument of Mr. Shyamnandan Mishra came from one background, saying that the police is bad, the judiciary is bad, the State Bank is bad, the Prime Minister is liable to any sort of corruption and the ruling party is bad. That is the start of Mr. Shyamandan Mishra. I am happy that other Members have not started on that assumption. I appeal to the elected Members of Parliament, even though they are in the Opposition, to accept one thing. We had an election. The people have given their verdict. The people have sent certain people to Parliament. There is a judiciary under which we are functioning; there is a police under which we are living; there is the nationalised bank which is controlling the finances of this country. Unless we are prepared to assume. until otherwise proved, that these are good, we will not be able to carry on in this country. Let me appeal to you—I am arguing my case—assume for argument's sake that these are fair. Let us proceed on that basis.

Now, what is the case before us ? two individuals are before us, Mr. Malhotra and Mr. Nagarwala. Let us see what they are. We are spending so much time of Parliament on that. Let us see what they are. Mr. Malhotra just takes out Rs. 60 lakhs, walks out, goes to a particular place, he meets somebody and hands over the money to him, and he is told, "You go to such and such place. You will find the Prime Minister and you will get a receipt." That is what he is told. This man takes out the mony, hands it over to a person whom he is seeing for the first time, not against a receipt. He changes his car, gets away and he finds that the Prime Minister is not there. He is told, she is in the Parliament; he goes to find the Prime Minister; he is not able to meet her. Then, he understands that there was no such instruction. This is the statement he has given. Here is Mr. Malhotra. Either he is a knave or he is a fool. That is the position we are finding before us.

Look at the other man, Mr. Nagarwala. Mr. Jyotirmoy Bosu was arguing about Mr. Nagarwala. When I heard him, I was wondering whethre a Deniel has come to judgment. Mr. Jyotirmoy Bosu takes out the statement given by Mr. Nagarwala and he reads it out. Who is this Mr. Nagarwala ? That is the picture that is before us ? That man waits at

a particular place, takes Rs. 60 lakhs--these are admitted facts—and coolly leaves away. He keeps a revolver, an unlicensed revolver, with him—he had got to be prosecuted. Anyway, he is a fellow who keeps a revolver with him. I do not carry a revolver; most of us don't. But here is a non-violent fellow, absolutely a paragon of virtue; he has got to keep a revolver with him; he takes the money and goes away. And that man is there, and that is the man who has admitted that he is a criminal; no doubt about it; misappropriation has been committed; money had been whisked away; money has been recovered from him; he had kept a fire-arm and had no glorious precedents, although Mr. Bosu finds him a man of glorious precedents, may be, comparable to his own...(*Interruption*) He fought in the army. Mr. Bosu also has got that past, I am told...(*Interruption*) As against a party for which the people gave their vardict, as against the party which is in control of the government of this country, as against a party which is regulating the destiny of the nation, whether you want it or not, as against a judiciary, as against the State Bank of India which is controlling the finances of the country, merely because there was a fool on the one side and a confirmed criminal, by admission, on the other side...(*Interruptian*) it was said, 'Here is Nagarwala; prosecute him; and Government must quit'. That is what Mr. Mishra says. Why ? Mr. Nagarwala took away Rs. 60 lakhs and therefore Government must quit; Mr. Nagarwala took away Rs. 60 lakhs and therefore judiciary must be liquidated; Mr. Nagarwala took away Rs 60 lakhs and therefore the Chairman of the State Bank of India should go ? What has the Chairman of the State Bank of India to do with this ? May I say this ? At 12·30 this incident took place. Within five minutes, the Deputy Chief Cashier lodged a complaint with the Parliament Street Police Station saying that this had taken place...(*Interruption*)

SHRI JYOTIRMOY BOSU : On a point of order. The incident took place at 12·30, and the complaint was lodged at 4 30 p. m. What were you deoing for four hours ? (*Interruption*)

SHRI C. M. STEPHEN : My friend is misinformed or he is prejudicially informed. What happened was that the Chief Cashier took away the money. Two people, together went to the strong room and collected the money. Entry was made there. But the Deputy Chief Cashier must be accounted to by this man, but he does not do; he says he would return the voucher and walks out. The records show that the moment Mr. Malhotra walked out, the Deputy Chief Cashier lodged a complaint with the police...

SOME HON. MEMBERS : No, no.

SHRI C. M. STEPHEN : The records will bear it out. This miserable police about which Mr. Mishra was saying...(*Interruption*)

SHRI S. A. SHAMIM : On a point of order...

MR. CHAIRMAN : Please sit down.

SHRI S. A. SHAMIM : You cannot stop a member from raising a point of order...

MR. CHAIRMAN : You need not tell me; please sit down...(*Interruption*)

SHRI C. T. DHANDAPANI (Dharapuram) : The Deputy Chief Cashier or any employee of the State Bank cannot directly go to the Police Station. They can only go to the Agent.

SHRI C. M. STEPHEN : Now, there is another question. There was an attack against the police. What has happened here ? Rs. 60 lakhs were whisked away for whatever reason. Within six hours' time, the money was recovered; the entire money was recovered in six hours' time. This goes to the credit of the police...(*Interruption*)

SHRI PILOO MODY : I think, he has got the Home Ministry's file with him.

SHRI C. M. STEPHEN : This is my file.

SHRI PILOO MODY : Let me see it.

SHRI C. M. STEPHEN : This is my file.

MR. CHAIRMAN : Kindly take your seat.

SHRI PILOO MODY : It is a Ministry's file. Let me see it please.

SHRI C M. STEPHEN : I am coming to it.

Therefore, the Government have done what they should. Prosecutions were launched against the people who were found to be criminals. Disciplinary action was taken against persons against whom action had to be taken. The lost money was recovered and the Bank has not lost any money. Proceedings were started and there is nothing which remains there.

The only thing that remains there is two criminals. One criminal admitted to be a criminal and something has happened to him. That was the only thing. May I ask with all respect - is this a matter for this Parliament to debate about ? What has happened about this ? Let us know. Absolutely nothing. This has been explained already. There is nothing that remains to be explained further. One more thing, I am finished.

Now, the purpose is absolutely clear. When Mr. Jyotirmoy Bosu took up this issue, the purpose is certainly clear. I am not questioning the motives of the other friends because they have not attributed any political motives whereas Mr. Jyotirmoy Bosu did it. Why ? Let me ask you. My learned friend who spoke before me has explained it away. I do not want to labour further on that. I can understand anything but for the Marxist Communist Party spokesman to come out with a statement which betrays his moral indignation and charging corruption and inefficiency in the administration, I cannot understand, because the record of the Marxist Communist Party is there before us I come from a State where the Marxist Communist Party was in power... (*Interruptions*) I want to explain the political implications about it. Let anybody do anything But, they are now charging us with inefficiency, and Mr. Jyotirmoy Bosu, with corruption and the rest of it.

SHRI PILOO MODY : On a point of order, Sir. Mr. Stephen seems to be labouring under the impression that this is a personal battle between him and his Party and Mr. Jyotirmoy Bosu. I would like to make it clear that we all of us in the Opposition charge him with the same thing.

SHRI C. M. STEPHEN : There is a distinction. There was no allegation from Mr. Manoharan...(*Interruptions*)

SHRI PILOO MODY : Sir, the file has disappeared. I made a charge earlier that it was the Ministry's file. That file has disappeared. I suggest that you insist that that file be laid on the Table of the House... (*Interruptions*)

SHRI C. M. STEPHEN : Will you control this House or not, Sir ?...(*Interruptions*)

SHRI PILOO MODY : Where did that file go ?

SHRI C. M. STEPHEN : To Mr. Mody's house.

SHRI PILOO MODY : I want to know where that file has gone.

SHRI RAJ BAHADUR : He is wasting the time of the House.

SHRI PILOO MODY : I made a charge here that he was using the Ministry's file and all of a sudden, the Ministry's file has disappeared.

SHRI C. M. STEPHEN : I was not using any Ministry's file. It was my file which I was using. I was not using any Ministry's file.

Now, let me conclude...

SHRI PILOO MODY : I made the charge that there was a file over here, which has deliberately been spirited away by fellow-conspirators sitting around him. (*Interruptions*)

SHRI S. A. SHAMIM : Shri Amrit Nahata is going away with that file and he is going out of the House.

SHRI C. M. STEPHEN : It is a serious allegation which has been made. I am not liable to show my papers to anyone. I have

got my property and I need not show it to anydody. (*Interruptions*).

MR. CHAIRMAN : No Member is allowed to peep into the files of private Members.

Now, Shri C. M. Stephen may sit down.

SHRI C. M. STEPHEN : Let me conclude my speech with just one sentence...

SHRI PILOO MODY : You may please quote the rule under which that is not allowed.

SHRI S. A. SHAMIM : Sir, Members have seen Shri Amrit Nahata leaving the House, carrying that file. (*Interruptions*)

MR. CHAIRMAN : If hon. Members have any suspicion that the hon. Member who was speaking had been using Governmental files, there is a procedure for it, and they can adopt that procedure. But let them not disturb him now.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : Where is that file ?

MR. CHAIRMAN : Hon. Members have to prove that he was using a governmental file. They can adopt the proper procedure. But let them not disturb him now.

SHRI C. M. STEPHEN : It was not a governmental file. I accept this challenge. Let me conclude now with just one more sentence. (*Interruptions*)

SHRI K. MANOHARAN : When Shri C. M. Stephen was speaking, my hon. friend Shri Piloo Mody had made a specific charge that the Home Ministry's file was being used by him...

SHRI PILOO MODY : Some Ministry's file, I do not know which Ministry's.

SHRI K. MANOHARAN : Within fifteen minutes that file had disappeared. I have seen the file and it has disappeared.

SHRI PILOO MODY : It was some file; whether it was the Home Ministry's file or the Finance Ministry's file or the CID file, I do not care; but it was some Ministry's file.

MR. CHAIRMAN : Let me first dispose of Shri K. Manoharan's point of order.

SHRI G. VISWANATHAN (Wandiwash) : May I say something on the some point of order?

MR. CHAIRMAN : Let the hon. Member kindly take his seat. I have understood his point of order.

AN HON. MEMBER : The file has reached Shri K. R Genesh by now.

MR CHAIRMAN : A suspicion is lurking in the mind of some hon. Members, and they are therefore raising a point of order...

SHRI C. M. STEPHEN : Let me conclude my speech.

MR. CHAIRMAN : The hon. Member may kindly take his seat. Now, the hon. Minister. (*Interruptions*)

SHRI C. M. STEPHEN : I have been insulted in this House. I am demanding your protection. I am entitled to have it. I am not yielding. I have been called names.

MR CHAIRMAN : Take your seat first.

SHRI C. M. STEPHEN : I have been insulted in this House by Shri Mody. I do not accept his charge. Unless you are prepared to extend mutual respect for each other, how can we carry on ?

MR. CHAIRMAN : Take your seat first. I have observed that there was something lurking in the mind of some Members; there was a suspicion. (*Interruption*) Take your seat. Mr. Mody says that it was a file from the Home Ministry, which was not a fact. The hon. Member has been denying it. Therefore, why do you want to accuse him that he was using a government file ? Kindly take your seat.

SHRI C. M. STEPHEN : Let me have my say.

MR. CHAIRMAN : Are you not satisfied with my explanation ? When I am taking your side, I am arguing out your case, you are not satisfied ?

SEVERAL HON. MEMBERS : *rose*—

AN HON. MEMBER : How can you argue his case ? (*Interruption*)

MR. CHAIRMAN : Kindly take your seats first. I was explaining his case, his view-point, and at the same time factually interpreting what happened in the House. Therefore, Mr. Mody, take your seat first.

SHRI JYOTIRMOY BOSU : Sir, Are you clear in what you have stated ?

MR. CHAIRMAN : I was explaining his own view-point.

SHRI SHYAMNANDAN MISHRA : Sir,on a point of order. (*Interruptions*)

MR. CHAIRMAN : Take your seats first, till I allow you to raise the point of order.

SHRI PILOO MODY : Can I make an explanation, Sir ?

MR. CHAIRMAN : Kindly listen to me first.

SHRI K. D. MALAVIYA : Will you please allow me to say a few words ?

MR. CHAIRMAN : I am not allowing anybody.

SHRI K. D. MALAVIYA : Will you please allow me to say a few words ?

MR. CHIARMAN : Nobody is allowed.

SHRI C. M. STEPHEN : I feel insulted.

SHRI K. MANOHARAN : You have insulted the House.

MR. CHAIRMAN : I must explain the position. I was up trying to explain as he was in the midst of his sentence...

SHRI SAMAR GUHA : No, Sir. Let us know whether it was a slip of the tongue due to which you used that word...(*Interruptions*)

SHRI RAJ BAHADUR : They do not want to have the final reply; that is why they are creating trouble.

SHRI C. M. STEPHEN : I am on a personal explanation; kindly permit me to make a statement.

MR. CHAIRMAN : I shall call you later...(*Interruptions*) Whatever has gone on record, you can see and ask me questions and I shall answer.

SHRI JYOTIRMOY BOSU : Under rule 376, I am on my legs.

SHRI K. D. MALAVIYA : Hordes of them, about fifty of them stand up and disturb the functioning of the House, including Mr. Piloo Mody, you are not controlling them. Mr. Piloo Mody should not be allowed ...(*Interruptions*)

MR. CHAIRMAN : The matter is closed. The hon. Minister.

SOME HON. MEMBERS : No.

SHRI K. D. MALAVIYA : He is becoming intolerable; he must be turned out of the House. There is a limit to it.

SHRI PILOO MODY : Please take care of him.

SHRI K. D. MALAVIYA : Mr. Chairman, you must ask Mr. Piloo Mody to get out of the House before we can take up any other business...(*Interruptions*)

18.55 hrs.

[MR. SPEAKER *in the Chair*]

MR. SPEAKER : I have not able to appreciate what is going on. After all, this Parliament is meant for discussion and decisions. There is so much shouting. I am very sorry. It reflects so badly on us. (*Interruptions*). You are excelling each other.

SHRI K. D. MALAVIYA : On a point of order, Sir. This Member of Parliament Mr. Piloo Mody, has been disturbing the normal proceedings of the House for about half an hour. He has been laying false accusations against hon. Members...

SOME HON MEMBERS : No, no. (*Interruptions*)

SHRI K. D. MALAVIYA : He has been doing a political crime. He must be asked to get out of the House. Otherwise, normal proceedings of the House cannot go on. We have been hearing and seeing the drama going on. He has been misbehaving and is spoiling the reputation of this House. (*Interruptions*). A promise should be taken from him that he will not misbehave in future.

MR. SPEAKER : Mr. Mody, kindly be cautious about your remarks (*Interruptions*)

SHRI SHYAMNADAN MISHRA : What has he done, Sir, to attract this comment from you ?

MR. SPEAKER ; He keeps on passing remarks and retorts. Stometimes they are not to the members' liking. All I tell him is it is much better if he keeps quiet. If he want s to raise anything, he might get up and say it. (*Interruptions*). Mr. Bhandare has told me everything about it.

SHRI PILOO MODY : Sir, you have allowed him to malign me. I will not say anything.

MR. SPEAKER : I am just giving a friendly advice. A number of times I have advised you. If you want to raise anything, you better get up and say it. We are not in a position to judge, when you pass your remarks and retorts while sitting. Sometimes they are pleasant and sometimes they are offensive. You should be very cautious about passing such remarks.

13 hrs.

SHRI H. M. PATEL (Dhandhuka) : Mr. Speaker, Sir, I was really astonished and somewhat shocked at some of the remarks of the last speaker. He referred to Shri Nagarwala as a confirmed criminal. Is this not an improper thing to-day ? I am showing this as an illustration of the spirit in which the ruling party is taking up this matter, which is of very great importance. This is a matter which ought to be gone into with an open mind, we have to see through and find out where the truth lies. A certain incident took place... (*Interruptions*) Our object in bringing forward this motion was clearly to get at the truth. For that an open mind is very necessary. That is why I started with this illustration about calling Shri Nagarwala a confirmed criminal when a trial was still to take place... (*Interruptions*).

I will now come to the withdrawal of Rs. 60 lakhs from the State Bank of India.. (*Interruptions*) I will be very brief and I will confine my remarks to one particular aspect of this matter. Right from the beginning the Finance Minister has sought to justify this or, if you like, explained it on the ground that the money was taken from the currency chest. The currency chest is nothing more than an ingenious device for transferring money from one place to another, or supplying funds from the particular office where the currency chest exists. There are big complicated procedures for drawing money from that, into which I will not go. Because, the currency chest is there for a particular purpose. When money goes into the currency chest, when notes are put into the curreney chest, they cease to be in circulation; they are, as it were, withdrawn from circulation The withdrawal from the currency chest calls for quite a complicated procedure an important procedure, where nothing can be done without certain things being put in writing and on record.

Here it is said that the money was taken out of the chest, three persons were involved and all of them took oral instructions. Here you have Shri Malhotra, the chief Cashier. His Deputy Chief Cashier goes along to the Deputy Head Cashier and says Rs. 60 lakhs are wanted. Just on that, we are told by the Finance Minister, money is taken out of the currency chest. He has never at any stage explained this, even though this is an important point.

MR. SPEAKER : He should conclude now.

SHRI H. M. PATEL : Because I am at the tail and, it naturally appears that the whole thing is being prolonged by me.

[Shri H. M. Patel]

This is a most important point. The Finance Minister has been continuously emphasizing this question of currency chest. May I read out from the first statement made when the call Attention Notice was moved by Shri Piloo Mody in this House ? This is what the Minister of State, Mr. K. R. Ganesh, had to say on the subject. He says :

> "According to the officer-in-charge of cash and the Deputy Chief Cashier responsible for the withdrawal of cash from the currency chest who gave the above information, Shri Malhotra told them that the money was needed for making some large payment..."

As if on such a statement, anybody would ever be permitted to take out the money from the currency chest. This is totally wrong. The Finance Ministry had acquiesced in this. I use the word 'acquiesee' for this reason. When was this statement made ? It was made on 26th May, 1971. To this day no further information has been vouchsafed to this House as to how exactly this happened.

The Finance Minister said on that occasion—I quote—

> "I certainly agree that it is fantastic and unbelievable that an officer of long standing with more than 20 years of service should act in such a stupid manner."

It is not stupidity. It is nevertheless fantastic and unbelievable. Then, he goes on to say, "It is something more than that." He himself says, "But I do not want to express an opinion at this stage." Quite right. He should, certainly, not express an opinion till he obtains the facts.

What has the State Bank or the Reserve Bank done ? All of them are involved in this. After one whole year, what has the State Bank done about these three persons ? We are hearing about Mr. Malhotra. Why were others not suspended, the Deputy Head Cashier and the Deputy Chief Cashier ? What is more, this information must have been given to the Agent. What action did he take ? Has the Reserve Bank gone into this further ? What further instructions has the Finance Minister issued ?

The Finance Minister later said, "What can one do ? There are rules. We have examined the rules. They are perfect. It is only an individual who has certainly gone mad." It is not one individual who can take out money like this from the currency chest which is in the head-office of the State Bank. That is quite impossible. That cannot be done. That would not be done under any circumstances. There are many things in it.

What it suggests is clear. The currency chest idea was thought of because of the large amount involved. How else to find this large amount which can immediately be got at, not only immediately, but to be withdrawn on oral instructions from outside and oral instructions within the State Bank. The whole thing has to be done orally, and to find Rs. 60 lakhs in cash.

The first report of the police makes it very clear. What does the Deputy Chief Cashier say when he makes his statement to the police ? He says, "I told the Head Cashier that the trunk cotained money from which I have to pay." I do not know the exact words. The words are to that effect. He said that Rs. 60 lakhs from the trunk have to be taken out. That really means that the currency chest was just merely used as a receptacle for this trunk containing money which had to be kept there for some particular purpose. Whatever it my be. I am not interested in that. I am only interested in this that here, we have a nationalised institution, the State Bank. It operates with this degree of negligence, on their own admission. The Chairman of the State Bank says at the end of a year that Mr. so-and-so is under suspension. Maybe, no further departmental action is taken because the matter is *sub judice*.

Now, if you could act so quickly and so promptly insofar as Mr. Nagarwala was concerened, what prevented you from going ahead with the case against Mr. Malhotra ? Why is it that you could not ask for some degree of expedition ? Why has the Finance Minister not come to this House on his own saying

that in this deplorable instance, there is something that is highly discreditable, "I must tell you the progress of our enquiries made." That is what should have happened in any democracy which was functioning as a democracy, any Ministry which was functioning as a Ministry, responsible to this House. But because you think that the opposition is small you can ignore it. That should not be the right attitude.....(*Interruption*) I am only talking about attitude.....(*Interruption*) I am referring to this particular matter and I have no doubt that the Finance Minister will explain the things to our satisfaction. I am sure, he will find that the points that I have raised are certainly relevant; they are not irrelevant.

I do not wish to take the time of the House except to say that when something happens that is clearly wrong, then, surely, a thorough and detailed inquiry has to be made The Minister of State in the Ministry of Finance himself said only a few days ago, when the question of some similar amount being carried away from Calcutta branch of a nationalised bank was raised, that they had been acting promptly, and he gave out considerable details of the inquiry made. But not even a fraction of that investigating mind has been applied to this case. Why ? This is what baffles us. Undoubtedly, in normal circumstances, the Government appears to want to be alive to these issues because there have been other cases of defalcation and misappropriation. And these will go on happening. This was a case distinguishable from all others, and that is why it is of special importance. Everything that should never have happened happened has happened. Therefore, I would urge that the Finance Minister, now at least, gives us full information and accedes to our request for a Parliamentary inquiry.

SHRI C. M. STEPHEN : I wanted to offer a personal explanation. Shri R. D. Bhandare, when he was in the Chair, said that I would be called later. I want only two minutes. Something happened in your absence. I am saying this with a heart full of pain because I felt I had been insulted...

MR. SPEAKER : You can do it later.

SHRI C. M. STEPHEN : I must explain my position, Sir. Shri R. D. Bhandare said that I would be called.....

MR. SPEAKER : Yes.

SHRI C. M. STEPHEN : I am a person elected to Parliament. I claim, I have got my own record of public service. Every member brings his own files. I came here today. I was not scheduled for speaking today. In the course of discussion I was informed that my name was in the list. Some papers prepared by my party, I took from my colleague and thery were with me I was consulting them and I was speaking. The question is this. Mr. Piloo Mody came out with a statement that I was having the Government files. I immediately repudiated it, held up the file and said that that was not a Government file; that was my file. (*Interruption*)

SOME HON. MEMBERS : No, no.

SHRI C. M. STEPHEN : Let me complete it, Sir. The question that I am raising is this. A member brings his papers. An allegation is made and the member repuditates it, A ruling was asked for and Mr. Bhandare who was in the Chair gave the ruling. It is not open to any body to peep into the papers another member is carrying (*Interruption*) Mr. Piloo Mody started peeping into my papers.

SHRI C. M. STEPHEN : The question I am raising is this. If the statement I made before the Bar of the House.....

SHRI SAMAR GUHA : On a point of order, Sir.

SHRI C. M. STEPHEN : I am on a point of order. I did not want to carry it on, I will do it in a minute.

I want to know it. The important question that arises out of this is : is it open to any Member of this House to look into the papers of another hon. Member and to say that the papers he is carrying are such and such and demand that the papers be circulated ? If it is repudiated by the Member who carries the papers, is it open to the member to persist and to say that the statement made by the Member is not true, incorrect and is it open to carry on further investigation ? If the statement I made before the Bar of this House is incorrect, I have committed a contempt of the House. On the other hand, if

[Shri C. M. Stephen]

the hon. Member has made allegations against me and has done something which is not permitted under the Rules, that is, prying into the papers of the other member and dancing about and looking into my papers and obstructing my speech, that member has committed a contempt of the House and he has committed a breach of privilege of the House. That is all what I want to say. The paper that I was carrying was not Government paper, It was my own paper.

SHRI P. K. DEO (Kalahandi) : This is a charge against Mr. Piloo Mody and he must refute it.

SHRI SAMAR GUHA : My point of order is this. When one hon. Member was participating in the debate, it was seen that there was a file before him and it appeared that he was making reference to that file and from the way he was making reference to the file and from the way he was using the file, suspicion arose in his mind that this file is not a personal file but an official file. That Member immediately drew the attention of the Chairman and then certainly what happened ? If any Member makes use of any file or makes any reference to any file or mention about it, is it not that other members can demand that he make a clear statement of the nature of the file and what it is ? It is within our purview and privilege that even we can ask him to produce the file on the floor of the House. When this discussion was going on, suddenly it happened that another member immediately took the file and whisked it and sent it away. I want to know from him whether it is permissible for any hon. Member in this House to know what is that file if a file is used and if he wants that that file should be produced on the floor of the House, whether it is permissible...(*Interruptions*)

MR. SPEAKER : It seems the Chairman has already given his ruling on that.

SHRI SAMAR GUHA : I want to know your ruling.

MR. SPEAKER : I would like to know from Shri R. D. Bhandare whether he gave his ruling or made certain observations.

SHRI PILOO MODY : That cannot be discussed in the House.

SHRI R. D. BHANDARE : I would request you, Sir, to see the record and then you can ask me the question so that I can reply.

SHRI PILOO MODY : May I say...

MR. SPEAKER : Will Shri Piloo Mody sit down please ? I have to deal with the other gentlemen before I deal with him.

The hon. Member has raised a very important point of order and I think it must be decided. I think the Chairman had already cleared this. If a Member quotes from a certain document...

SOME HON. MEMBERS : He was not quoting.

SHRI B. S. MURTHY (Amalapuram) : He did not quote. (*Interruptions*)

MR. SPEAKER : The Members are all mature people. What is this habit which they have developed ? They are august Members of Parliament. What is this ? Why are they so impatient and so irritable ? Why should they appear to be such highly explosive material ? I am very sorry that they do not listen to anything. It would have been much better if hon. Members would have used their abilities and their intelligence in refuting the arguments and fighting them on the basis of a very logical speech, but they suddenly get up and make noise. If a Member has not quoted from that but is just referring to that, I do not think that there is any dispute about it. If he quotes from that, the other Member can contest it. Otherwise, if he does not quote from that, the validity of the document cannot be questioned.

SHRI K. MANOHARAN : Do you mean to say, Sir, that any hon. Member can possess a Ministerial file ?

MR. SPEAKER : I do not know where it is...

SHRI RAJ BAHADUR : I repudiate this. There was no Ministerial file with him. I must repudiate this.

SHRI P. K. DEO : The Ministers have taken an oath of secrecy, and they cannot pass on their files to private Members.

SHRI G. VISWANATHAN : It was a Ministerial file.

MR. SPEAKER : If he was not quoting, then it is a different matter. He might have been quoting from anything which may have been on his palm or a file or in his hand.

SHRI PILOO MODY : I very much regret that my hon. friend Shri C. M. Stephen brought this point up once again...

SHRI AMRIT NAHATA (Barmer) : After your ruling, can he discuss it again ?

SHRI G. VISWANATHAN : He was the person who took away the file.

MR. SPEAKER : What is Shri Piloo Mody on ? Is he giving a personal explanation or is he raising a point of order ? Or is he saying something on the basis of what Shri C. M. Stephen has said ? If he is giving a personal explanation, then personal explanation on what ?

SHRI PILOO MODY : I have been accused of something. I must give you my end of the story. What is so strange about it ?

MR. SPEAKER : But his end is unending. That is the pity of it. The story must end somewhere.

SHRI PILOO MODY : It will end right here after I finish. I am sorry that Shri C. M. Stephen brought this matter up again. He was referring to a particular file .

SHRI C. M. STEPHEN : No.

SHRI PILOO MODY : He was referring to a particular file which incidentally was placed like the file which I have kept before me, and he was speaking from his memory. All of a sudden, he said something which had not appeared in any single newspaper that I could recollect. I did not remember reading that particular bit of information anywhere. Just at that point, Shri Jyotirmoy Bosu got up on a point of order contesting the fact that Shri C. M. Stephen had just stated.

SHRI JYOTIRMOY BOSU : Very true.

SHRI PILOO MODY : While Shri Jyotirmoy Bosu was on his point of order, Shri C. M. Stephen all of a sudden goes and refers to that file, checking up whether he had made a mistake. That was my assumption...

SOME HON. MEMBERS : No, no.

SHRI C. M. STEPHEN : That is his assumption. (*Interruptions*)

SHRI PILOO MODY : I am saying that, that is my assumption.

MR. SPEAKER : I would like to tell all my young friends that they are now Members of Parliament and they should not consider themselves as too young. They should try to behave in a more mature manner. After all, why do they lose their patience ? After all, this is a Parliamentary forum where we talk to each other, and we discuss so many things and we arrive at conclusions.

SHRI PILOO MODY : As I said, it was my assumption that he was checking on the facts. Whether my assumption was correct or wrong is something that cannot be drowned by that noise. The fact of the matter is that when I saw Mr. Stephen do that, I started wondering that while when one makes a speech one has notes, and one has occasionally a speech written up, but one does not carry an entire file which looked like almost a case from which you refer to something that one is going to say. So, it made me suspicious and I felt that there was something that needed to be pointed out, which I did.

Thereafter, I am afraid Mr. Stephen lost his nerve. Instead of offering the file which I asked him to show me, he started hiding the

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file and holding it as fast as possible. I said, "May I see it?" and three people from the back jumped forward as if I was going to steal something. (*Interruptions*)

MR. SPEAKER : Why did you ask for his file ?

SHRI PILOO MODY : Thereafter, I pointed out to my friend on this side, please see the way in which Mr. Stephen is clutching his file. And the next moment, the file had been spirited away. I leave it to you to draw your own conclusion, Sir.

MR. SPEAKER : I think I should give the right to Members to ask for each other's file and I should be given the power to call for the file.

SHRI PILOO MODY : I am now discussing a particular subject, on a particular issue on a particuiar point. Members come with all manner of papers and books. But this was a very different sort of thing, and it is not to be generalised in this fashion.

MR SPEAKER : I am sorry. Why should you ask for another Member's file, anb make one embarrassed about it ? (*Interruptions*).

SHRI SAMAR GUHA : It was an official file.

MR. SPEAKER : That can be otherwise also. But it should not have been brought to the Speaker's notice; you must have settled it yourselves. Now, Mr. Dandavate, I am sorry. You are very much late.

SHRI PILOO MODY : I made that allegation that this was an official file but the Chair took no notice of it at all. What am I supposed to do ? Forget about it ?

MR. SPEAKER : If the hon. Member says it is not an official file and it is a private paper, what should be the rule ? Should I ask for a search of the paper ? (*Interruptions*).

SHRI PILOO MODY : We appreciate your difficulty just as we want you to appreciate our difficulties. The matter may end here and the Minister can be called to reply to the debate.

MR. SPEAKER : Mr. Dandavate, you are very much late.

PROF. MADHU DANDAVATE (Rajapur) : Sir, I only want to make a submission. I do not want to speak. I would only like to point out that there are parties or groups who are in the habit of holding the House to ransom and they suffer while they speak. Even if I do not speak I will continue to suffer but I will not hold the House to ransom.

MR. SPEAKER : I quite agree with you. But your time has been taken up by this ransom.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Mr. Speaker, Sir, I have been listening to the debate for the last three hours and a half Some relevant points, and some which were otherwise, were also made in the course of the debate. I do not want to speak in a spirit of scoring a debating point. I think the most important point is to see that the facts of the case, as we see them, are put forth before the House. I wish I can convince and satisfy the Members of the Opposition but I am not sure about it because I do not know whether they have got an open mind on the question. But, if they have, certainly they should be convinced about it.

The main point is...(*Interruptions*)...I did not utter a word by way of interruption throughout the debate. So, I would certainly be entitled to be heard uninterrupted. Ultimately you have your own views and we will have our own opinions about it. The main point is that as far as this taking away of Rs. 60 lakhs from the State Bank of India is concerned, it was something very unprecedented and something very fantastic, as I said on the very first occasion when I had to speak about this thing. The question is, how the Government reacted to it, and what actions the Government are to take about it. This is the main point. I heard the speeches of Shri Bosu and other Members and the

type of adjectives they used—Shri Shyamnandan Mishra also spoke—they said there was stony silence, that Parliament was kept in the darkness and so on. Shri Shyamnadan Mishra, one of the great exponents of democratic institutions in the country, particularly of judiciary in the country, said that we were living in conditions where there was no judiciary, there was no respect for Parliament, no respect for anything; we were living in such society...

SHRI SHYAMNANDAN MISHRA : ...for State Bank.

SHRI YESHWANTRAO CHAVAN : ... for State Bank also, as if there was all chaos around, except that some good people were sitting only on the opposite benches.

On the very first day, when we were asked to make a Statement, the Government made a statement. The whole thing took place on the 24th of May 1971, after 12 o' clock but before 12·30 Malhotra took Rs. 60 lakhs out of the bank. After that what happened ? It was said in the statement made by the Minister of State on the 26th, that Shri Malhotra took the money in a car and Shri Nagarwala and the money was transferred from that car to the taxi. In that taxi, according to him, Nagarwala disappeared with the money. Then he got suspicious and went to the Prime Minister's House and wanted to meet the Prime Minister when he was told that the Prime Minister was not likely to return for luneh. Then he came to Parliament House and met the officials from the Prime Minister's office; the Prime Minister was in Parliament.

Then he was told that no phone was made from the Prime Minister's side. That is what his statement is. When he made enquiries here, naturlly he was taken to Parliament Police station; that was about 2·30 p. m. when the police first knew about the whole thing. Investigations started at 2·30. Hon. Member Shri Bosu was asking how it took four hours to lodge the first information report. It has to be given by a person who was entited to complain and that was the Deputy Cashier who was supposed to take the receipt from the person who takes out the money. Naturally certain communications had to be established and he made his first complaint at 4 O' clock.

SHRI JYOTIRMOY BOSU : Very convincing.

SHRI SHYAMNANDAN MISHRA : Why did they go to Chanakyapuri police station ?... (*Interruptions*). We cannot allow the points raised by us to be slurred over.

SHRI YESHWANTRAO CHAVAN : I am not arguing as the lawyer does; I am giving you facts; I do not want to answer your legal points. On that very day, when the investigation started at 2·30 p. m. by 10·30 p. m. Nagarwala was arrested and the money was taken possession of. In eight hours, the Government machinery not only took cognisance of the matter and acted very promptly but successfully dealt with the matter. I should like to quote what Mr. Jyotirmoy Bosu had to say about it; perhaps he has forgotten. He has given very handsome compliment to the Delhi police tha day. I read from the debates on 26 May, 1971. He had something to say about what happened and he had some criticism of the Government, but before doing that he says :

> "Before doing that I must agree with Mr. Chavan that the police have done a wonderful job because they have detected it immediately and we must appreciate it."

This is the appreciation that he has given !

Mr. H. M. Patel expressed his indignation about it. I certainly respect him. He was one of the experienced administrators and I can very well take his criticism as objective criticism. May I ask him, if he were in charge of the position, what else would he have done ? We have the rule of law in this country. We have to leave the entire matter to the police investigation. The police investigation started immediately. They immediately found the money. They, according to them, found the culprit.

What happened next ? I have got the sequence of events. Naturally, he was taken to the magistrate. He agreed to make a statement and he made a confession. Two

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points of view can be expressed about the confession. On the basis of the confession, he was first convicted. Then, he went in appeal to the higher count. The higher court set aside the conviction and remanded the case for retrial. At the same time, one must see that the judge has not given any opinion about the confession, whether it is true or not. He has not said it is not true.

SHRI K. MANOHARAN : Then, why did he set aside the conviction ? Please explain that.

SHRI YESHWANTRAO CHAVAN : I have kept a copy of the judgment in the Parliament Library. You better read it. The judge said that he (Shri Nagarwala) was not given enough time and so it was necessary that the case should go back. He has specifically said, "I do not want to express any opinion as to whether it (Confession) was spontaneous, voluntary or not".

Some members referred to what Nagarwala had written to somebody or what he had said in interviews with them, etc. They may also be true; I do not want to suspect them because they are honourable gentlemen. But here is a statement which he has made before the judicial court which is supposed to be a confession, which is also on record You cannot say there is only one side of the facts. There is also another side. As long as Nagarwala was not convicted, I was not prepared to call him a criminal. It would have been unfair. So, the fact is, there are two stories. One is what some members have said in regard to what Nagarwala has told them in interviews, in letters, etc. The other version is also there on record, which has not yet been proved to be involuntary and which is under judicial examination.

SHRI JYOTIRMOY BOSU : Have an enquiry.

SHRI YESHWANTRAO CHAVAN : Even after the enquiry, ultimately the enquiry commission says, "Go to the judicial court." Ultimately in this country the final decision is that of judicial courts. So, we have gone directly to the judicial court and the entire matter is before the court.

Some members asked as to why Malhotra was not proceeded against. On the very first day when Mr. Ganesh made a statement, he had said that Malhotra was suspended. Shri Joshi reminded me about it. I had no information and I wanted to know why he was not proceeded against. I was told immediately that he was being prosecuted under section 409 for breach of trust.

SHRI K. MANOHARAN : Within five minutes he was charge-sheeted and sentenced to five years.

SHRI YESHWANTRAO CHAVAN : That is a different matter.

SHRI K. MANOHARAN : But it is a relevant matter.

SHRI YESHWANTRAO CHAVAN : I do not want to express any opinion on that.

SHRI SHYAMNANDAN MISHRA : Shri Malhotra was exonerated under section 409.

SHRI YESHWANTRAO CHAVAN : Suppose tomorrow you are charged with a breach of section 409 and we place you before the court. If the judicial court discharges you, what can we do ?

SHRI SHYAMNANDAN MISHRA : Our charge is that you are dishonest. Even in the higher court the prosecution was not done properly. That is the crux of the problem...*(Interruptions)*

SHRI YESHWANTRAO CHAVAN : It is not correct. Ultimately the court decided that he should be discharged. Even then, he is still continuing under suspension. Naturally, we have to think of taking departmental action.

SHRI SHYAMNANDAN MISHRA : Why not an inquiry into that ?

SHRI YESHWANTRAO CHAVAN : An inquiry is a departmental inquiry. What

more do you want ? There are certain rules about that. Shri H. M. Patel should try to appreciate that. Shri Malhotra is an employee of a bank and there are certain rules about departmental enquiries. He is being proceeded against under the departmental rules. When the case is not proved in a court of law, he will have to be proceeded against departmentally. That is being done.

SHRI JYOTIRMOY BOSU . Why are you afraid of facing an inquiry ?

SHRI YESHWANTRAO CHAVAN : When so many questions are asked at the same time, it is difficult to reply to all of them.

SHRI SHYAMNANDAN MISHRA : Why was he not arrested on the same day when he had whisked away Rs. 60 lakhs ?

SHRI YESHWANTRAO CHAVAN : He was arrested on the 29th.

SHRI SHYAMNANDAN MISHRA : After so many days.

SHRI YESHWATRAO CHAVAN : I do not know why he was not arrested on the same day. But the point to be considered is whether ultimately he was arrested or not.

Then about the enquiry, a departmental enquiry was initiated...(*Interruptions*) There is no question of any commission of inquiry...(*Interruptions*).

SHRI SHYAMNANDAN MISHRA : We cannot be satisfied with anything less than a commission...(*Interruptions*)

अध्यक्ष महोदय : मैं आप से कहना चाहता हूँ कि वह आपको सुनते रहे तो आप क्यों नहीं उन को बोलने देते ?

श्री श्याम नन्दन मिश्र : कमीशन आफ एन्क्वायरी का जवाब दें न कि क्यों नहीं करना चाहते ?

अध्यक्ष महोदय : आप उनको इट्रप्ट मत कीजिए, जो वह बोलेंगे वह बोलने दीजिए ।

श्री श्याम नन्दन मिश्र : मल्होत्रा जो 60 लाख रुपये निकाल कर ले गया उसको क्यों नहीं उसी दिन अरेस्ट किया ? यह क्या बात है ? क्यों नहीं उसको उसी दिन अरेस्ट किया ?

On the very first day he should have been arrested.

MR. SPEAKER : You are interpreting it.

SHRI YESHWANTRAO CHAVAN : Naturally, they were mostly concerned about the money and the investigation about the money. First of all, naturally, with the disappearance of the money the police investigations was concentrated on recovering the money. Naturally, the question of investigation and prosecuting Shri Malhotra had some sort of lower priority than Shri Nagarwala under those circumstances It is very clear from what they did But the question is whether the police did it or not. They did it; they arrested him and prosecuted him.

The que tion is why he was not impleaded with Shri Nagarwala Shri Nagarwala himself made an application to the judicial magistrate, which was dismissed. He went in appeal to the Sessions Judge, which was dismissed. He went to Delhi High Court, which also dismissed it. What can we do about it ? He was not impleaded because the judicial view was that they were two separate cases because the facts were quite different. Therefore, he was not impleaded.

Now may I ask this House one question in all seriousness ? Having referred the matter to the proper investigation, having referred the matter for the proper judicial proceedings, what was this government expected to do ?

SHRI SHYAMNANDAN MISHRA : No, we are not satisfied.

SHRI YESHWANTRAO CHAVAN : If you are not satisfied, I am satisfied. It is not a question of whether you are satisfied or not, but whether I am satisfied or not. We are running the government not to your satisfaction; we are running the government to the people's satisfaction...(*Interruptions*) We are supposed to run the government to the

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satisfaction of the people and not of Shri Mishra... *(Interruptions)*

Then, Sir, one Member said that the Government has lost reputation. I have great respect for Mr. H. N. Mukerjee. I certainly respect him and regard him as one of the senior Members of this House. I do not know what has happened to him recently. He said that the Government's reputation has completely been compromised. I wonder if the result of the 1972 elections is the proof of acceptance of the reputation of the Government of India or the rejection of it. *(Interruptions)*. If you do not want to listen to my reply, I cannot help it. *(Interruptions)* Now, Sir, they are in a mood to walk out. They do not want to listen to my reply which is convincing to them. Are you afraid of arguments ? *(Interruptions)*

SHRI SHYAMNANDAN MISHRA : No. We are afraid of the lack of integrity on the part of the Government. *(Interruptions)*

SHRI K. MANOHARAN : I want to ask Mr. Chavan whether he is prepard for a parliamentary enquiry or not.

SHRI YESHWANTRAO CHAVAN : No *(Interruptions)*

Some hon. Members then left the House.

MR SPEAKER : Order, order.

SHRI YESHWANTRAO CHAVAN : Sir, even if they have left the House, I will have to complete my reply. Because they are afraid of being convinced, they have left the House.

Shri Manoharan asked me a few questions. I think, it is much better if I reply to these questions. They have asked me some questions. I do not want to create an impression that there is nothing to be answered. As a matter of fact, I have answered these questions two or three times in this House, once in the month of May...

MR. SPEAKER : You should make the positoin very clear. Irrespective of the fact that they have walked out, your reply should be complete. I am so sorry, if this is the way of working of parliamentary democracy that, when your turn comes to reply, they walk out.

SHRI YESHWANTRAO CHAVAN : They constantly asked one question—to whom the money belongs. I think, it is much better to educate some of the hon. Members about it. Unfortunately they are absent. Possibly, they can read my speech in a printed form tomorrow.

I have explained the whole procedure many times. I would like to repeat it here. They asked me, to whom does the money belong. The money in the currency chest, really speaking, belongs to the Reserve Bank of India and it is held by the State Bank of India on bchalf of the Reserve Bank of India. As long as the money is in the currency chest, it is the Reserve Bank of India's money. The moment it is withdrawn for circulation, then it becomes the currency in the real sense and then, it belongs to the State Bank of India or any other Bank which carries it.

Now, this money belonged to the Reserve Bank of India. On that day, the opening balance was more than Rs. 4 crores. That day, the currency chest was opened; the room was opened, I think, nine times on that day and at one time that Rs. 60 lakhs were taken out. The question is, how it is opened. It is opened by no persons. One is the officer-in-charge of cash and the other is Chief cashies himself who in this case was Mr. Malhotra. He also had a right to delegate his power to someone, who can deputise for him; that is, the other man, his deputy. The currency chest has got double locks. Unless, the two people open it, it cannot opened. And both of them were present. They entered the room, withdrew the money or deposited the money as the case may be, and they entered the amount in the register there. Both of them signed. In this case, as I said, the whole matter, realy speaking, centres round the behaviour of Mr. Malhotra when he withdrew the money. The whole mystery is built around that. Certainly, the man has acted. as I have said, in a very strange manner and that, really speaking, has created the

whole story. Unfortunately, Mr. Nagarwala died; unfortunately the police officer who investigated the case died. Some hon. Members had also tried to integrate these things into the episode. The man died in an accident in Mathura and I do not know how it can be linked with this. Even, for that matter, you may want to hold some persons sitting on the benches here responsible ! God help those who made those suggestions ! This was the money that was withdrawn. Mr. Malhotra himself realised in a couple of hours time that he was being duped. He went to the Prime Minister's house, the Prime Minister's office, then he realised that he had been duped. He was the first man to come and give the information. But by the manner in which he withdrew the money, he had certainly not observed the rules. As far as the rules are concerned, I have gone into them myself; I have asked the Reserve Bank to go into those rules As far as the rules are concerned, there is nothing wrong about it. What do you do when you give authority to a person and that person himself misbehaves ? Mr. Speaker we have given you all the authority. I am sure you would not do such a thing. But in case you do it, what is the remedy for it ? If somebody says that there is a mystery and, therefore, appoint a Parliamentary Inquiry Committee, how do I answer that ? Certainly, he was prosecuted and he was discharged by the court. Certainly the whole thing is not at the end of it and it is being further inquired into.

Mr. Mishra made a reference to a letter of Chairman, State Bank of India. and said that the man should be pushed out. Shri Mishra wrote to him a letter. The Chairman, State Bank is quite a busy man; he moves about the whole country. He had rather delayed the reply but, certainly, he replied to him and apologised for the delay. But at the same time he said that the matter has been replied to in Parliament. He had also read in the newspapers that this matter had been allowed by the Speaker to be raised in Parliament. Therefore, he has said in the reply to Shri Mishra that it would be presumptuous for him to go into the details of the matter. It is a very polite and apologising letter from the Chairman of the State Bank of India. And here is a Member of Parliament who says that only because he wrote that letter, that "rude letter", he should be pushed out. Some of the people here behave like Sultans and that too, in the name of democracy they want to do that. They tried to make many indirect suggestions. I am glad that some of the Members had got the wisdom to get up and say that they were not making any allegation against the Prime Minister. I am very glad about it. It is very good. Even Mr. Nagarwala said that he had nothing to say against the Prime Minister. He always threatened to disclose something, but unfortunately he did not disclose anything. Possibly, he had nothing to dis lose; may be that is a possibility. The whole matter is that this question is being kept alive and is being tried to be kept alive because it is politically motivated. Taking away Rs. 60 lakhs is certainly an important matter which we are going into. We will certainly see how this happened; we will have to see that. But there is nothing like fraud on democracy, fraud on the Bank or fraud on the people; nothing like that, Everything is open; nothing is concealed. Every part of it is either before the judiciary or before Parliament. I would like to know what is it that we have tried to conceal. Naturally, when sometimes matters come before the judicial courts, Rules of the House direct us that we should not discuss matters which are *sub judice*. Not that we do not want to disclose matters here, but when the rules do not permit us to disclose the matters here, we can not disclose the matters here. We have to say that the matter is still *sub judice*. But when the matters are discussed, I have given all the facts. I am prepared to give all the facts which are still necessary for these people to know about.

The hon. Member said that the judicial procedures are not followed or some judicial officers were promoted. May I give a very interesting information ? The Additional Sessions Judge who set aside the conviction of Mr. Nagarwala was promoted a Judge of the Delhi High Court. Can you say that this was done to protect Mr Nagarwala ? The only person who was promoted is that person who set aside the conviction of Mr. Nagarwala. This is a fact. So, to unnecessarily try to create an impression that everything is wrong, that the judiciary is wrong, that the executive is wrong, that the Parliament is wrong and that everything is worng—I will say that there is nothing wrong with the country, the wrong is in the persons who

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think that there is something wrong about it. This is one thing.

Mr. Manoharan asked the question about Mr. Malhotra and what is his present status. I have explained. His present status is that he is still under suspension. Though the case is discharged, departmental proceedings are going against him.

I have answered the question as to under what authority Mr. Malhotra kept the money. Malhotra does not keep the money. Money has been kept by the State Bank of India on behalf of the Reserve Bank. He is one of the persons who were authorised to withdraw the money.

He asked me another question – what prevented the Prime Minisler to make a statement ? Where was the necessity for the Prime Minister to make a statement ? We are the Ministers in charge here. We are making statements, we are making statements on behalf of the Government. Is it necessary for the Prime Minister to bother about it because some people go on making cheep charges against her ? It is this behaviour of some of the Opposition Parties which, really speaking, has exposed them to the people and the way they are going about. People have innate faith in the integrity of their leader, people have innate faith in the Prime Minister's intergrity and ability. This sort of cheap allegations do not help them, the country or the Opposition. So, I would request them to be very careful about it and try to refrain from making political charges which they always bring in some sort of allegations.

I would like to say that the behaviour of the Government in this particular matter has been absolutely upright. I have no hesitation to say we have been completely upright in this matter. We are not trying to conceal anything, We are trying to take every right step and we will continue to take every right step to uphold the law of this country in order to keep up the honour of this country because we want this country to progress and we want to have this atmosphere of integrity not only to survive in this country but to be strengthened. This is my only reply to these very baseless charges that were made.

SHRI INDRAJIT GUPTA (Alipore) : May I ask one question, just on a matter of fact ? As far as you have been able to ascertain by whatever investigations you have done uptill now, why as this Malhotra stated, why has he gone after this incident, hunting about the Prime Minister ? His version is that he got a telephonic call which he thought was the from Prime Minister, but we do not know whether it is a fact or not. We have only his word for it and subsequently, you say in your statement also that after he found out that he might have been duped, he went to the Prime Minister's house and then he came round to the Parliament House and so on. If this is correct, then he was under the impression that the Prime Minister or somebody on behalf of the Prime Minister had given him some instructions. What is the mystery, which we cannot understand, honestly ?

SHRI YESHWANTRAO CHAVAN . I cannot explain it because this man's behaviour is completely irrational. I did say it. Even now I am saying it. You want me to give a rational explanation about the irrational and irregular behaviour of a person ? It is very difficult for me. I cannot explain it.

SHRI INDRAJIT GUPTA : It is more than one year.

SHRI YESHWANTRAO CHAVAN : One year, because this case was before the Judicial Magistrate. When the case is before the Judicial Magistrate, the Departmendal inquiry could not be undertaken. Now, when the whole matter is enquired into, naturally he will be asked to submit his explanation and he will have to explain and we will certainly take a note of it There is no doubt this man—I used a very strong term. I don't want to use that again—but certainly he behaved in an irrational and irregular manner. He gave an irrational explanation. I cannot understand the way a person who was such a responsible person in charge of so much money, the way he behaved. Certainly it cannot be explained. He will have to explain or suffer the consequences.

SHRI K. BALADHANDAYUTHAM (Coimbatore) : Were Government in the habit

of drawing money like that in the past ? Otherwise, how can they lay the blame on him ?

SHRI YESHWANTRAO CHAVAN : Not at all, I may tell the House categorically that Government never draw money like that.

20 00 hrs

MR. SPEAKER : I am very happy about one thing. The Opposition was demanding a discussion on this subject. This was given on the last occasion also; that was again allowed and a few questions were allowed and there was also a calling-attention notice which was allowed. Only two hours had been fixed for this discussion, but now we have finished it in four hours.

On all such important matters, the only difficulty is that when we allow such discussions, instead of a smooth discussion by reasoning and by logical explanations, the whole atmosphere is spoilt by shouting and similar demonstrations, which is not in the interests of democracy. We do everything here; they said that they wanted a discussion in the interests of democracy, but if they do not listen and they do not allow the other person to explain, then what is to be done ? After all, it is because of the big majority that the ruling party has, that this discussion was allowed and the Opposition could have it for the first time, then for a second time and then for the third time also. Simply because the Opposition was not in large numbers, we thought that they might not be stifled, and therefore, the discussion was allowed. So, it was their duty to have sat here and listened to the hon. Minister, whether it was to their liking or not. When the other side listened to them with all the exhibition of their tempers and excitement and irritation, they should also have stayed here. That is my very humble submission. When we allow such discussions, it is just for explaining the position to the people and not for show of temper and exhibition of irritability.

I am very happy that this matter is finally discussed again, and I hope that this Parliament will not require any further discussion on this.

20 02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, May 31, 1972/, Jyaistha 10, 1894 (Saka).

New India Printing Press, Khurja